

Hochschule Rhein-Waal
Rhine-Waal University of Applied Science
Faculty of Society and Economics

A whole new beginning?

An analysis of the changing relations of international actors with local civil
society organisations in Ethiopia in light of the new Civil Society Proclamation

No. 1113/2019

Master Thesis

by
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Abstract

At the time of this research, at the end of 2019, civil society in Ethiopia was at the brink of reinventing itself. For the past ten years, from 2009 until early 2019, the restrictive *Charities and Societies Proclamation No. 621/2009* complicated the work of CSOs in Ethiopia tremendously. Especially human rights CSOs endured numerous challenges as they were restricted to receive funds from international actors. While many did not manage to continue to work on their mandate, they either had to change their areas of activism or close their operations entirely. However, a few managed to survive by developing strategies that made them more independent from international support. Hierarchies and dependencies are subject to controversial debates in the field of development cooperation. Thus, this thesis analyses how much awareness and ultimately levels of independence were achieved in the period in which cooperation with international partners was restricted. Through the qualitative content analysis of 26 expert interviews conducted in Addis Ababa, Ethiopia, with representatives of human rights CSOs, non-rights CSOs, international actors and academics, it was discovered that there is a strong sense among local CSOs to be independent of their international partners and to be respected as equal partners. However, predominantly representatives of rights CSOs were able to portray strategies to negotiate their conditions in a partnership as well as alternatives to international support. However, it cannot be causally concluded that the CSP2009 indeed impacted this awareness as other factors influenced it as well. Nevertheless, it tested and enhanced both the innovation and commitment of human rights activists. Furthermore, as the new *Organizations of Civil Societies Proclamation No. 1113/2019* enables CSOs and international actors to cooperate freely again, this paper examines the opportunities and challenges that both groups of actors see in their relations and produces recommendations on how to improve them in the following period of cooperation.

Keywords: Civil society, civil society organisations, civic space, closed space phenomenon, international development cooperation, dependency, rights-based approach, *Organizations of Civil Societies Proclamation No. 1113/2019*

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Confidentiality Clause

The following Master thesis contains confidential data and information disclosed by third parties. It may not be disclosed, published or made known in any other manner, including in the form of extracts, before approval by the author.

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LIST OF ABBREVIATIONS

AAA	Accra Agenda for Action
AAU	Addis Ababa University
ACLP	African Civic Leadership Program
Agency, the	Charities and Societies Agency - Civil Societies Organizations Agency
APAP	Action Professionals Association, former Action Professionals' Association for the People
AWSAD	Association for Women's Sanctuary and Development
CAHDE	Center for Advancement of Human Rights and Democracy in Ethiopia
CARD	Center for Advancement of Rights and Democracy
CARDDAP	Center for Adolescent Rights, Democratic Development and Participation
CEHRO	Consortium of Ethiopian Human Rights Organizations
CS	Civil Society
CSF I, II, III	European Union Civil Society Fund I, II and III
CSO	Civil Society Organisation
CSP2009	Charities and Societies Proclamation No. 621/2009
CSP2019	Organization of Civil Societies Proclamation No. 1113/2019
CSSP 1, 2	Civil Society Support Programme 1 and 2
DAC	Development Assistance Committee
DDS	Democratic Developmental State
EC Sof	Ethiopian Civil Society Forum
ELA	Ethiopian Lawyers Association
EPRDF	Ethiopian People's Revolutionary Democratic Front
ESC	Economic, Social and Cultural Rights
EU	European Union
EU CSF III TAU	EU Civil Society Fund I, II and III Technical Assistance Unit
EWLA	Ethiopian Women Lawyers Association
FDRE	Federal Democratic Republic of Ethiopia

FGM	Female Genital Mutilation
GDI	Gross Domestic Income
GDP	Gross Domestic Product
GNI	Gross National Income
GoE	Government of Ethiopia
GTP II	Growth and Transformation Plan
HDI	Human Development Index
HRCO	Human Rights Council (Ethiopia) – Ethiopian Human Rights Council
HR CSO	Human Rights Civil Society Organisations
HRD	Human Rights Defenders
ICC	International Chamber of Commerce
IGA	Income Generating Activities
IO	International Organisation, here: international actor
LJAAC	Legal Justice Affairs Advisory Council
LGBTQ+	Lesbian, Gay, Bisexual and Transgender, Queer and all subgroups
LHR	Lawyers for Human Rights Ethiopia
M&E	Monitoring and Evaluation
NGO	Non-Governmental Organisation
ODA	Official Development Assistance
OSD	Organization for Social Development
OSJE	Organization for Social Justice in Ethiopia
PDN	Pro Development Network
PHE EC	Population, Health and Environment Ethiopia Consortium
PM	Prime Minister
PPP	Purchasing Power Parity
RBA	Results-based Accountability
SDG	Sustainable Development Goals
SIDA	Swedish International Development Cooperation Agency
SNGO	Southern Non-Governmental Organisation
TPLF	Tigray People's Liberation Front

UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
VECOD	Vision Ethiopian Congress for Democracy

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1. INTRODUCTION

Civil society has been important for any society around the world for centuries. These organised or unorganised groups of people either deliver important services to their constituencies that the government cannot cover independently, or fight for a cause that is important to the part of society that they represent. This could be, for example, poverty reduction, social change, climate change or human rights with all its facets. Civil society has a long history in Ethiopia's development. However, institutionalised civil society organisations have developed relative recently in Ethiopian history. The first groups evolved during two extreme famines during the 1970s. The first human rights-oriented organisations started acting in the 1990s, after the regime change in 1991. After the disputed 2005 national election and the accompanying protests, the Government of Ethiopia (GoE) introduced the Charities and Societies Proclamation 621/2009 (CSP2009) which significantly diminished the civic space and freedoms of expression and association. The new law minimised the possibilities to cooperate with and to receive funds from foreign entities. CSOs were forced to either change their mandates towards service delivery activities, work with a minimal amount of resources, close down completely or reinvent their strategies. Finally, after the inauguration of a new prime minister in 2018, a new, more liberal CSO law has been passed in March 2019. This opens many new opportunities not only for the civil society activities but also for the cooperation between local CSOs and international partners. Therefore the question arises whether this is a whole new beginning for the relations of civil society and international actors. Will all modes of cooperation be newly established or will they simply continue their relations from before 2009?

The data for this research was collected in a research project in Addis Ababa in November and December 2019. During that period, 26 interviews with representatives of local CSOs, international entities, experts and scholars, as well as with the *Agency For Civil Society Organizations* (hereafter: the Agency) were conducted.

This research aims at reflecting on the relations of CSOs and international partners in general and particularly in the Ethiopian context with its recent history. With the help of literature, the general advantages and challenges will be examined. A qualitative content analysis of the expert interviews about the experiences regarding the relations between local CSOs and international actors in Ethiopia will be reflected. An often discussed criticism concerns the hierarchies and dependencies such cooperation often entail; thus, these will also be subject to this thesis's analysis.

The second research question will discuss how the restrictions of the CSP2009 have influenced the views of CSOs regarding cooperation with international actors. As the law forcefully disrupted their relations, especially human rights CSOs became creative and

found other ways to survive and continue their operations. Therefore, their attitudes towards this kind of cooperation will be discussed. Have CSOs developed a stronger sense for independence of external influences or not? Do they have strategies that they developed during the CSP2009 period that can potentially help them stay independent? The hypothesis is that they gained more independence of international donors as well as other skills that would not have if the law had not forced them to adjust their strategies. Following that, in the discussion, recommendations for both groups of actors will be developed, that can help to improve their future working relations under the new Organization of Civil Societies Proclamation No. 1113/2019 (hereafter CSP2019).

The following chapters will give a better overview of the problem and topic, the purpose and significance of this research, the research questions and objectives as well as the definitions used in this thesis.

1.1. Problem statement

Due to civil society being a relatively new concept in Ethiopia and the many years of suppression, civil society is not yet as vibrant as known from other countries. Generally, NGOs and CSOs are financially supported by donors, local and international, in order for the organisations to fulfil their mandates and to serve their constituencies. Ethiopian civil society is a particular case. For the past 28 years, the government has been suspicious of civil society work, especially in the context of human rights, democratisation, and advocacy. This negative image strongly affected the public opinion and by that the chances for local fund generation. Until 2009, local CSOs were, therefore, highly dependent on international donors to support their work. However, the Charities and Societies Proclamation 621/2009 (hereafter CSP2009) completely changed the work of CSOs. With the enactment of the legislation, CSOs were not allowed to work on sensitive issues like human rights or advocacy if their budget was composed of more than ten per cent from international sources. This means that organisations working on development projects or service delivery activities continued to generate international funds up to 90 per cent, while the rights-focused CSOs had to find means of income from local sources. This restrictive law diminished the capacity of all CSOs working on rights issues. They were forced to change their mandates, reduce their activities and scope of work, find new sources of income, close their operations or become creative on how to survive. This did not only hinder cooperation between local and international actors but also gave civil society the chance to re-evaluate whom they are serving, who their supporters are, and what their principles and priorities are. This research will analyse how this restrictive law has formed the perception and awareness of rights-oriented CSOs in Ethiopia concerning external influences. Interviews with local civil society representatives will be

used to see whether a stronger sense of independence and self-determination has been created by the ten years of interruption of relations.

After ten years, the civil society law has been revised and rewritten with much input from civil society actors. A new law was enacted in March 2019 – the Organizations of Civil Societies Proclamation No 1113/2019. Since the new law came into force, both civil society and the international community needed to adjust their strategies. They have to rewrite their roles and mandates and also figure out new partnerships or rekindle old ones. Development theories often criticise the hierarchical structures between donors and recipients in development work (Elbers et al. 2018; Uvin 2004:171). This is said for NGOs, but even more so for CSOs representing the will of a certain constituency to fight for structural social change. Many problematic dynamics can be identified in international cooperation between non-local actors and local CSOs. Therefore, this research will focus on the Ethiopian case and review the mutual perceptions, the problems, as well as the expectations and recommendations. This research will give an overview of the current situation since many actors are re-establishing themselves and their relations with each other.

1.2. Relevance and objectives

In the following, the relevance and objectives of this study will be elaborated.

Firstly, it is stressed by Ismail (2019:8) that sustainability is of high importance for CSOs and other development activities. The advantage of supporting local efforts and projects led by CSOs is that even if the international partner withdraws from the context, the project or the achievements can be easily continued and do not end abruptly. Supporting local projects can send positive signals to local funding partners to trust CSO's activities and invest in them, even when the international donor has ended its support (Sriskandarajah 2015). With regard to the Sustainable Development Goals (SDG), Goal 17 on the "Partnership for the Goals" includes civil society as an essential partner for achieving the development goals and monitor their progress (UN). In the other goals, civil society can play significant roles in support of the government's attempts and in cooperation with international efforts (Nazal 2018). Therefore, strengthening civil society is highly important for the achievement of the SDGs.

The following points are the objectives targeted by this research:

1. Addressing the new and unknown situation after the introduction of the CSP2019 and strengthening civil society's capacity to play its roles.

The CSO law has just been put into force at the beginning of 2019 and the new Prime Minister, Dr. Abiy Ahmed, announced the revision of several controversial laws. Thus, the situation at the time of the research phase was relatively new and unknown. Many civil society related entities were still establishing or re-evaluating themselves, and

almost every political event had effects on the civil society situation in Ethiopia. Most local CSOs evaluated their mandates and programmes before the re-registration with the Civil Society Agency, as they were now allowed to include rights issues. Additionally, international organisations now had the chance to support civil society activities in areas like human rights or democratisation and were, therefore, also adjusting their programmes.

It is also important to mention that several conversation partners stressed the importance of conducting this research at the time it was conducted, as the freedom of speech improved significantly since the change of government in 2018. Before that, Ethiopian civil society representatives had to censor their speech on how they criticise the government's practices, as one was easily labelled as a terrorist or a traitor to the country (Expert 7, para. 24)¹. Therefore, this research, conducted just a year and a few months after the inauguration of Dr. Abiy Ahmed and only nine months after the enactment of the new CSO Law, can provide insights into opinions that might not have been mentioned publicly before. Nevertheless, several interview partners requested full anonymity and others requested anonymity for certain statements.

When considering the current events in Ethiopia (as of the end of 2020), the demand for a vibrant and independent civil society is even more urgent, as the local conflict could have been prevented or better solved with the involvement of a strong civil society. Therefore, this thesis also aims at strengthening local CSOs to play their roles more effectively in future.

2. Providing information to international actors who want to cooperate with local partners about their perceptions and hopes for such cooperation.

During the research process, most conversation partners expressed their strong interest in the results. This was to see the new developments in the sector, understand their role among the other actors, or get an insight into the other group's (civil society and IOs) expectations for current partnerships and visions for future cooperation.

The idea for this research came during an internship at the Goethe-Institut Addis Ababa in 2019, which was then assessing the civil society sector and the role the institute could impact the advancement of a sovereign well-established civil society. Therefore, the results of this research will also provide information for international actors, who have not yet systematically partnered with civil society, to understand the current status and recent developments.

¹ All interview partners are referenced by synonyms to protect their identity. For further information see Annex A.

3. Identifying the positive effects of cooperation and shedding light on challenges, ultimately giving a set of suggestions for improvement.

As cooperation between civil society and international actors existed before 2009 but was undermined through the previous legislation, this paper will address not only positive aspects of their cooperation but also the challenges and difficulties that can arise through partnerships. With the help of literature and interviews with local actors, the complex relations will be analysed and then applied to the unique situation in Ethiopia. Actors' opinions and experiences will be reflected and used to formulate recommendations that might improve future cooperation.

4. Analysing the mind-sets of local human rights CSOs towards international partners, and reflecting on how the previous CSO law influenced their approaches.

The last objective is to cover an area of research identified as a gap in literature. Many papers reflect on the adverse effects of the CSP2009 law for civil society work, especially for rights-related civil society work. Several researchers analysed the various coping strategies of actors, which show how organisations managed to survive or how they continued working on difficult issues (see Dupuy, Ron and Prakash 2015; Mersha 2013). However, this research will aim at examining whether there have been positive effects of the ten years of legal suppression on the current work of CSOs. This does not mean that positive effects could revoke the negative ones, but the hypothesis is that the previous law's restrictions enabled local human rights CSOs for a type of development that they would not have experienced if they had continued to be financed by international donors. The effects might be comparably small, and this research might not represent civil society entirely, but it gives an insight into how Ethiopian CSOs benefitted from this kind of forced independence of international influences.

1.3. Research questions

After explaining the rationale and the objectives of this study, the following research questions will be discussed:

1. What are the opportunities and challenges of the cooperation between international actors and civil society organisations in Ethiopia?
2. What were the challenges posed on, and retrospectively, the opportunities given to civil society in general and Ethiopian Charities and Societies (rights-oriented CSOs) in particular, by the Charities and Societies Proclamation No. 621/2009?

1.4. Definitions

Before diving deeper into the topics of this thesis, some operational definitions need to be established.

Civil Society

The term civil society can be interpreted in many ways, and definitions can differ in varying contexts. Here the working definition will be the following:

Civil society is the sphere of institutions, organisations and individuals located between the family, the state and the market. In this sphere, people associate voluntarily to advance common interests, seek to express their passions, preferences, and ideas while also exchanging information, achieving collective goals, making demands on the state, improving the state's structure and functioning, and holding state officials accountable. Civil society can include social movements, volunteer-based organisations, mass-based membership organisations, professional associations, faith-based groups, NGOs, community-based organisations, as well as communities and citizens acting individually or collectively.²

Civic Space

Civic space is the political, legislative, social and economic environment which enables citizens to come together, share their interests and concerns and act individually and collectively to influence and shape the policy-making. Civic space encourages people to pursue multiple, at times competing, points of view.

If space exists for civil society to engage, there is a greater likelihood that all rights will be better protected. Conversely, the closing of civil society space, and threats and reprisals against civil society activists, are early warning signs of instability. Over time, policies that delegitimise, isolate and repress people calling for different approaches or legitimately claiming their rights can exacerbate frustrations and lead to instability or even conflict. (Civic Space Watch 2019)

Non-governmental organisations and Grassroots organisations

Non-governmental organisations (NGOs) can be a part of civil society, but neither does the whole sector consist of NGOs nor do all NGOs constitute a part of the civil society sector (OECD 2011:10). However, as seen in many publications, the two terms are often applied interchangeably as they often represent the same group of organisations that are researched. The definition applied will be the following:

The term NGO has been understood to refer to those organizations that are officially established, run by employed staff (often urban professionals or expatriates), well-supported either by domestic or, as is more often the case, international funding and that are often relatively large and well-resourced. NGOs may therefore be international organisations or they may be national or regional NGOs.

In contrast to NGOs, Grassroots Organisations (GROs) are usually understood to be smaller, often membership-based organisations, operating without a paid staff but often reliant upon donor or NGO support, which tend to be but are not always issue-based and therefore ephemeral. (Mercer 2002 in Mugo 2014)

Civil Society Organisations

The definition of CSOs that is used in the *Organizations of Civil Societies Proclamation No. 1113/2019* and therefore, the one relevant in this paper is the following:

Organizations of Civil Societies means a Non-Governmental, Non-partisan, Not for-profit entity established at least by two or more persons on voluntary basis and

² This working definition is based on several explanations, for example by (Diamond 1997; CSO 3 2015; Anheier and Carlson 2001). The term will be explained more extensively in the theoretical framework (Chapter 2.1.).

registered to carry out any lawful purpose, and includes Non-Government Organizations, Professional Associations, Mass-based Societies and Consortiums. However, as clarified in the “User’s Manual on Ethiopia’s CSO Law” (ACLP 2019:25), “local CSOs do not include religious organizations and non-profit entities established by other laws, such as trade unions, chambers of commerce and sectoral associations, political parties or [Ethiopian] traditional self-help associations [...]”. Furthermore, as defined in the CSP2019, CSOs that are considered in this research are nationally operating organisations: “organizations operating in two or more regional states; foreign organizations; organizations established in Ethiopia to work on international, regional or sub-regional issues or not operate abroad; organizations operating in the city administration of Addis Ababa or Dire Dawa” (FDRE 2009:3).

Local/national and foreign/international organisations

Organizations of Civil Societies Proclamation No. 1113/2019 (FDRE 2019):

Art 2(2): “**Local Organization** means a civil society organization formed under the laws of Ethiopia by Ethiopians, foreigner residents in Ethiopia or both;” (here also: national)

Art 2(3): “**Foreign Organization** means a non-governmental organization formed under the laws of foreign countries and registered to operate in Ethiopia;” (here also: international)

Ethiopian Charities and Societies

As this thesis includes terms from the current legislation (CSP2019) as well as from the previous one (CSP2009), some terms need to be clarified.

Under the previous law, CSOs were categorised into three main groups, Ethiopian, Resident and Foreign. These categories did include not only the country of origin of the founders and members but also the thematic areas in which they were allowed to engage and the sources of income. This paper will have a strong focus on Ethiopian Charities and Ethiopian Societies as they were most affected by the restrictions of the previous law. These were the only organisations allowed to work on topics like human rights, advocacy or conflict-related issues. Therefore, the synonyms for this group used in this paper will also be human rights and rights-oriented CSOs. On the other hand, they were not allowed to generate more than 10 per cent of their funding from foreign sources. In contrast, Resident organisations were allowed to generate 90 per cent of their funding from foreign sources but were restricted from working on sensitive issues like human rights. These are the definitions as given in the *Charities and Societies Proclamation No. 621/2009* (FDRE 2009):

Ethiopian Charities or Ethiopian Societies:

Art. 2(2): "Ethiopian Charities" or "Ethiopian Societies" shall mean those Charities or Societies that are formed under the laws of Ethiopia, all of whose members are

Ethiopians, generate income from Ethiopia and wholly controlled by Ethiopians. However, they may be deemed as Ethiopian Charities or Ethiopian Societies if they use not more than ten per cent of their funds which is received from foreign sources;

They were the only group of CSOs that was allowed to work on the following issues:

Art 14(2 j): the advancement of human and democratic rights; k) the promotion of equality of nations, nationalities and peoples and that of gender and religion; l) the promotion of the rights of the disabled and children's rights; m) the promotion of conflict resolution or reconciliation; n) the promotion of the efficiency of the justice;

Ethiopian Residents Charities and Societies:

Art 2(3): "Ethiopian Residents Charities" or "Ethiopian Residents Societies" shall mean those Charities or Societies that are formed under the laws of Ethiopia and which consist of members who reside in Ethiopia and who receive more than 10% of their funds from foreign sources;

Foreign Charities:

Art 2(4): "Foreign Charities" shall mean those Charities that are formed under the laws of foreign countries or which consist of members who are foreign nationals or are controlled by foreign nationals or receive funds from foreign sources;

International actors

The following terms: international actors, international organisations (IOs), international donors, international partners, Western organisations, Northern actors; will be used interchangeably in this analysis as there is no need to differentiate these actors as long as they are actively involved in Ethiopia by supporting or cooperating with Ethiopian CSOs. They can be international private actors, charitable foundations, NGOs or CSOs with headquarters in other countries than Ethiopia. Alternatively, they can be bilateral actors, such as SIDA, USAID or IrishAid or multilateral agencies that are composed of different member states, such as the UN or the EU. In every case, they either provide official private development funding, which would make them donors (Elbers and Arts 2011:718)³ and/or they provide other support, such as international advocacy or technical support.

It is acknowledged that each organisation differs significantly in its characteristics, and the danger of generalisation appears. However, the focus of this study, the scope and the anonymity of many actors prevent a more thorough differentiation (see Brown and Fisher 2020).

International Development Cooperation

International cooperation for development is a complex and multi-layered concept.

Here, the working definition will be:

³ "Donors in our analysis are those organisations that provide official private development funding. This definition includes bi- and multilateral agencies" (Elbers and Arts 2011:718).

Development Cooperation is an activity that aims explicitly at supporting national or international development priorities, is not driven by profit, discriminates in favour of developing countries, and based on cooperative relationships that seek to enhance developing country ownership. Development cooperation is part of international cooperation, but there are fields of international cooperation that are not directly related to development, such as sharing rules on international flights or adopting preventive measures against terrorism. (Alonso and Glennie 2016)

Development cooperation can manifest in different approaches, such as financial or in-kind transfers, capacity support, or policy change at the national and international level.

Rights-based approach

The rights-based approach to development is interpreted and used differently by different actors. In this field research, the term was often used but did not always mean the same. According to Eyben (2004 in Nyamu-Musembi and Cornwell 2004:45), the common features can be explained as follows:

Most, if not all, organisations see a “rights-based” or “human rights” approach as a catalyst that can transform the practice of development from a focus on identifying and meeting needs to enabling people to recognise and claim rights that are enshrined in the UDHR. For most, too, this entails (1) work with duty-holders – generally state, but also increasingly non-state actors – to strengthen their capacity to respond and be accountable in protecting, respecting and fulfilling human rights [...]; and (2) work to build the capacity of citizens to claim their rights, by working alongside them as advocates and by seeking to provide opportunities for people to empower themselves. The common principles of rights-based development, then, might be seen to reside in shifting how development actors “do business”, offering them – in theory – the potential to change their ways from unreflective patronage to the self-aware exercise of agency in support of those who are discriminated against and marginalised.

The term rights-based organisation or rights CSO will be frequently used in this thesis, which only indicates that these organisations work on issues like human rights, advocacy, or peace and conflict, and were mostly categorised as Ethiopian Charities or Ethiopian Societies under the previous CSO law of Ethiopia. Some of those might apply the rights-based approach as explained above but not all.

Dependency

As the term dependency is often used in this thesis, a brief explanation of how the author understands this concept is introduced:

Dependency between local CSOs and international partners is the opposite of independence. If an organisation or actor is dependent it cannot follow its own goals, but (also) fulfils the goals and approaches of the so-called partner and cannot entirely or under limitations work on or fulfil the own agendas. Furthermore, it includes the type of funding arrangement, whether they aim at capacitating and building the institutional strength and sustainability of the local organisation or whether they are project-funds, earmarked, short-term or tied to conditions that are

not part of the local priorities or preferred procedures. Therefore, dependency exists if the own goals cannot be achieved without compromises.

1.5. Structure of the thesis

After introducing the research rationale and research questions above, the next chapter will give a brief introduction to the concept of civil society as well as to the international cooperation in support of civil society. Furthermore, the opportunities and challenges of such partnerships, as well as the mitigation strategies to conditionality, will be discussed with the help of a literature review.

In the next step, the methodology and underlying methods to this research project will be introduced. This chapter will include explanations about the access to the field, the research design, the sampling and the primary data collection process as well as about the data analysis procedures. Lastly, a thorough reflection on the research process and ethical considerations will be presented.

Moreover, the reader will be introduced to Ethiopia's country context, the history of civil society as well as the legal frameworks underlying this thesis.

After that, the research questions will be answered through the analysis of the interview data. The first question is divided in the advantages of the cooperation as perceived by the actors in Ethiopia and the challenges of the cooperation. The challenges have been structured into six overarching issue categories.

The second research question will be answered by looking at the negative and positive effects of the previous CSO law, whereby they are arranged by effects on the whole civil society sector and on human rights CSOs specifically. For the analysis of the assumed positive effects on rights CSO, three sub-questions will be asked and discussed.

Finally, the research results will be summarised with the help of a fishbone diagram and a flowchart. Also, the research questions will be discussed in the context of the theoretical framework. Recommendations will be drawn on how the cooperation can be improved, and an outlook on further studies will be given.

2. THEORETICAL FRAMEWORK AND LITERATURE REVIEW

Firstly, it is pivotal to clarify the applied concepts in this paper. Civil society and civil society organisations being the primary researched entity will be defined and explained first. Then, the role of international actors for the work of local civil society organisation will be introduced, as well as three areas in which their cooperation generally faces the most challenges.

2.1. *The concept of civil society*

Civil society is a broad term that is used frequently; however, it has been often defined and interpreted differently. This chapter will introduce some definitions, which relate to the working definition⁴ on which this research is based.

Firstly, civil society is part of the so-called third sector which is an arena comprised of non-profit institutions such as foundations, NGOs⁵ and associations of various kinds. It is a sphere positioned between the state, therefore less formalised and institutionalised, between the market, therefore not-for-profit, and between the family or other non-voluntary communities (Merkel and Lauth 1998:7). Zimmer and Priller (2001) define the whole third sector, as including all those organisations that are formally structured, organisationally independent of the state and not for profit, which are managed autonomously and which are not mandatory associations.

The concept of civil society goes back to times of Hobbes, Hegel and Locke and even Aristoteles. While in the antique civil society was seen as state-building entities, such as political parties, in the European 17th and 18th century it entailed the freedom and independence of emancipated citizens to voice their opinions, even if directed against the state (Kuhn 2005:79).

CIVICUS, a global alliance of civil society organisations, sees civil society as often manifesting in the form of collective actions, organisations or institutions whose goal it is to advance a shared interest (VanDyck 2017). Their activities can aim at enhancing goals that either benefit its members or goals that benefit another group of people⁶. CSOs can be active on a local, regional, national or global level, and be active in social, cultural, spiritual, religious, economic or sportive issues (Kuhn 2005:78). According to the London School of Economics (Repucci 2010:x), civil society can take a variety of forms that differ significantly in their “degree of formality, autonomy and power”. Furthermore, it must be acknowledged that the concept is challenged not to be universal for all contexts as it can differ based on historical and cultural experiences of a society (Repucci 2010:2; see also Soesastro 1999). The Center for Strategic and International Studies advances this concept by including the application of “indigenous [...] knowledge, values, traditions, and principles” (VanDyck 2017). The term ‘civil’ suggests the non-violent and respectful nature of civil society (Vernon 2015). However, this notion is controversial and not supported by all scholars. Kuhn (2005:78) warns against a generalisation of civil society

⁴ See chapter 1.4.

⁵ It should be noted, as often assumed, that the term NGO is not interchangeable to CSO as NGOs rather represent one group of civil society organisations, but not all CSOs are NGOs (OECD 2011:10).

⁶ E.g. marginalised parts of society.

as being democracy-advancing and non-violent, as it excludes many forms of civil society that are included in the definitions above.

The functions of civil society can be described in different ways. Spicer et al. (2011:1749) say that it could include service delivery, such as the construction of schools in rural areas, monitoring government activities, and advocacy work – representing marginalised groups that otherwise would not have a voice. Merkel and Puhle (1999:169–72) define five functions that civil society fulfils. Those are the protective, the mediating, the socialising, the community as well as the communication function. In the democracy-enhancing role of civil society, Kuhn (2005:169–72) adds the complementary, control and relief function, in the sense of a checks-and-balances system with the state. Furthermore, according to Diamond (1992 in Soesastro 1999:11), civil society has six functions that rather focus on political scrutiny and supervision⁷. These functions entail serving the poor and marginalised group, providing an alternative security system, training human resources in pivotal state-building capacities and thus being a driver for socio-economic reforms.

An essential factor of civil society fulfilling these functions is their ability to be vibrant and effective in their endeavours. Therefore, if a stable, independent and vibrant civil society represents a society, it can help build resilience against social and political shocks and reduce the vulnerability (Vernon 2015).

Hinterhuber (2012:53–54) explains that civil society can never be a state entity but strongly interacts with the state, where both are dependent on each other. Therefore, civil society needs constitutional protection by the state in order to develop and thrive. It is argued that in authoritarian regimes, the existence of civil society is most often threatened or the space of actions is restricted. Thus, an active third sector is not seen as a “luxury” anymore, but as a necessary factor for the advancement and stability of democratic states and development of a society (Zimmer and Priller 2001:40). Walzer (1995 in Soesastro 1999:10) describes the relation that “only a democratic state can create a democratic civil society; only a democratic society can sustain a democratic state”.

Van Dyck (2017) tries to convey the complex relations that the civil society ecosystem is embedded in and the factors influencing the sector’s sustainability⁸. Any civil society is dependent on the legal and regulatory policies of the state, which defines the scope of their activities and the freedoms they enjoy – the civic space. The impact of civil society

⁷ Namely “a) to act as a reservoir of resources to check the power of the state, b) to ensure that the state is not held captive by a few groups, c) to supplement the work of political parties in stimulating political participation, d) to stabilise the state because citizens will have a deeper stake in the social order, e) to act as a locus for recruiting new political leadership, and f) to resist authoritarianism” (1992 in Soesastro 1999:11).

⁸ Compare Annex E containing a figure that portrays Sustainability Factors of Civil Society.

depends on whether the space is open or closed, free, or restricted and controlled. Further, foreign policy and global political relations are not only pivotal for agenda-setting and global solitary activities, but also for partnerships in the local setting. Restrictions by the state for international actors to support local civil society activities can strongly harm their objectives. Lastly, but probably most important in the ecosystem, are the resources, such as material, financial, human and technical, which define the success and ultimately, the sustainability of civil society activities. While the term civil society comprises a lot of formal and informal actors, which can be of short and spontaneous⁹ or of long and sustainable character, the term civil society organisations narrows down the definition. CSOs have an “organised structure and mission and are typically registered entities” (VanDyck 2017). Therefore, the term civil society organisation can include all types of NGOs, faith-based, community-based or member-based organisations, labour unions and on the broader definition even social enterprises, as long as they are legal entities (VanDyck 2017).

2.2. International cooperation in support of civil society

This chapter looks at international development cooperation in relation to local civil society organisations. International development cooperation being a multi-dimensional term with many perspectives, it would exceed the scope of this work to explain it in full detail. The term, as understood in this context, is explained in the working definition above. After giving an overview of the underlying theories of the cooperation between international actors and civil society in local contexts, the advantages and opportunities of the cooperation will be further examined, as well as several areas that are regularly mentioned in literature that induce challenges for both sides. This will act as a basis for comparison with the challenges identified in the Ethiopian context.

At least since the Accra Agenda for Action (AAA), adopted at the Third High Level Forum on Aid Effectiveness held in Accra in September 2008, international development actors recognised the importance of civil society for development. The Agenda commits signatory countries to engage with CSOs for their development activities (OECD 2011:6). In paragraph 20, it is stated that “[We] share an interest in ensuring that CSO contributions to development reach their full potential” (OECD 2011:12).

The literature emphasises the importance of civil society, not only for development but also for democratisation processes. For instance, in many African countries civil society has become a driving force in democratisation as an answer to increasing dysfunctional and authoritarian statehoods (Mugo 2014). Diamond (1994 in Mugo 2014) describes civil society as a guard “against the excess of state power, but also to legitimate

⁹ E.g. online-based or social media communities, as well as social movements and spontaneous collective actions like protests, which have no physical, legal or financial structures.

the authority of the state when it is based on the rule of law". John Haberson, a scholar in African politics, said that "an effective and viable civil society is the condition preclO 3t to democracy in Africa, and that even if all the other variables for democracy are realised, African renaissance will not be possible without a strong civil society" (Mutua 2008 in Mugo 2014). Therefore, as suggested in liberal democracy theory, civil society plays a key role in the good governance of a state. In cases where civil society is restricted to fulfil these roles, the support from the international community can be the deciding factor in the continued struggle for rule of law, respect for human rights and implementation of other democratic values. International civil society, as well as multilateral actors like the United Nations (UN), can put external pressure on the government and hold it accountable for its commitments agreed on in international treaties or even in its own national constitution (Mugo 2014). Furthermore, international entities can offer external protection to civil society actors or human rights defenders (Elbers et al. 2018:2).

However, recognising that democracy is often a final goal of Western development cooperation and official development assistance (ODA), it is argued that many CSOs working on democracy and human rights were "born out of or helped by donors' will and funding, in a context of externally encouraged democratic change" (Mugo 2014). Other authors even call this relationship a "democratisation crusade" (Ngondi-Houghton 2002:159) and CSOs being "little schools of civilised politics and veritable vessels of democratic pedagogy" (Igoe and Kelsall 2005). The notion that 'aid has failed' led donors to redirect their aid flow from governments to CSOs, which in some cases even exceeded the amount of aid directed at governments (Kral et al. 2013:6; Soesastro 1999:11). After the experience of colonial rule, African governments and societies have been especially suspicious of Western influences and have often coined support of civil society to be subtle means for Western states to induce their policies and principles. Several academics have called CSOs to be "donor's marionettes" (Igoe and Kelsall 2005 in Mugo 2014) or even "circus monkeys" (Spicer et al. 2011). The Ethiopian government, for example, has long regarded international support to local CSOs, which were working on democracy enhancing issues, as "pos[ing] a threat to democratisation" itself, as it would undermine Ethiopian sovereignty in controlling its internal political affairs (Birru and Wolff 2018:840). Ultimately, whether inducing external norms or not "civil society is seen as both, an improved channel for aid and an important prerequisite for the termination of aid" (Soesastro 1999:11). Thus, support of CSOs is important either way.

An OECD report about "How DAC members work with civil society organisations" from 2011 gives a comprehensive overview of the different modalities of how the cooperation between donor countries' agencies and civil society in partner countries can look like (OECD 2011:6). The report shows that all Development Assistance Committee (DAC) members channel parts of their aid to partner countries to CSOs directly, which they see

as crucial in achieving their development goals. The survey showed that different ways of funding are applied, such as project support, programme support, partnership agreements as well as through calls for proposals. However, most funds are channelled through national or international CSOs to be reallocated to local CSOs, which is called earmarked funding, while core funding for local CSOs is provided much less (OECD 2011:7). The CSO respondents to this survey stressed the fact that although they receive the majority of their funds from international partners, they are independent actors and “are not agents of donors or governments” (OECD 2011:10). The challenges identified in the report will be further discussed in the next chapter.

2.3. Opportunities and challenges of international support for local CSOs

In the following chapter literature on the advantages and challenges of cooperation between civil society and international actors, and mitigation strategies against adverse effects of cooperation will be introduced.

2.3.1. Opportunities of cooperation

Before addressing the difficulties of the relationship between international actors and local CSOs, the advantages and opportunities of this cooperation will be stressed. By recognising the positive effects of such cooperation and analysing the difficulties involved, this paper adds to a more comprehensive, efficient and positive relationship benefitting everyone involved in the long run. Therefore, the questions arise: Why is it important for international actors to support local CSOs?; and Why is it important for CSOs to cooperate with international partners?

Why is it important to support local CSOs?

Considering CSOs’ numerous roles for a society, it can create many advantages for international actors to cooperate with local partners in order to achieve their goals and mandates. In light of the SDG Agenda 2030, which most international actors commit to, CSOs are suitable partners to fulfil the development goals and monitor their progress, as other local structures in a country might not always be in place for the implementation (Nazal 2018). As goal 17¹⁰, “Partnerships for the Goals”, comprises all other goals, civil society can be a valuable partner in achieving all of the Sustainable Development Goals. Human rights CSOs are additionally significant players for Goal 16: “Peace, Justice and Strong Institutions”, as they often engage in advocacy work and investigation of human rights violations, where governments fail in fulfilling their protection mandates.

¹⁰ And here especially target 17.17: “Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships” UN.

As CSOs are located in the middle of an ecosystem among various actors, CSOs “are ideally placed to be ‘connectors’ in these ecosystems, precisely because of their ‘intermediary’ status” (Banks, Hulme and Edwards 2015:714). The pluralism of their approaches, mandates, geographies, and strengths, enables CSOs to be bridges and mediators in various inter-institutional disputes, communication gaps and coordination issues in projects (Banks et al. 2015:713). Another comparative advantage of CSOs is their proximity to beneficiaries and grassroots activities, which gives a chance for a project to be “designed in a bottom-up manner reflecting local contexts, needs, and realities” (Banks et al. 2015:710). DAC members appreciate CSOs’ abilities to represent local perspectives in project designs and implementations and to access the constituencies in question easily (OECD 2011:16)¹¹.

Besides the connection and access to the beneficiaries, one crucial factor is also that local CSOs are usually better able to understand the cultural background and historic sensitivities of the context in which a project is implemented. Therefore, they can design projects in a culturally sensitive way, negotiate with gatekeepers, mediate in conflict situations and in many cases speak the same languages as the beneficiaries and local stakeholders (Banks et al. 2015:710). International actors, especially those who are new to a context, are often criticised for not fully understanding the historical and cultural circumstances, which is why they are highly encouraged to partner with local forces genuinely and leave ownership of agendas and approaches to them (Elbers et al. 2018:12, 21). Furthermore, Ismail (2019:8) stresses the importance of sustainability. The advantage of supporting local efforts and projects led by CSOs is that even if the international partner withdraws from the situation or the country, the project or the achievements can be easily continued and do not end abruptly.

One of the most important reasons to support CSOs in the Global South is that in many contexts, it is extremely challenging for CSOs to secure local funding (Elbers et al. 2018:2). Especially in advocacy and human rights work, local fundraising can make it hard to work on controversial topics, as sanctions by the government could affect the local funding organisation. Therefore, financially supporting local projects can also send positive signals to local funding institutions to trust in the CSO activities and invest in them, even after the international support has ended (Sriskandarajah 2015). In closed civic spaces, even the government might be persuaded of the effectiveness of the CSO if renowned international organisations put their trust in it. By monitoring and evaluation, international support can show that the activities have a positive impact on the country’s development and welfare.

¹¹ See a figure portraying “Why DAC members consider NGOs to be valuable development partners” and to what degree they place importance of these factors in Annex F.

Another reason for strengthening and cooperating with local CSOs is their ability to manoeuvre across different spheres of society. Vernon (2015) suggests that civil society can “identify, argue for and put into practice non-violent (civil) solutions to problems”. Therefore, for international actors who have the goal to increase peace and security, it can be of utmost importance to bring local ‘civil’ actors on board, strengthen their capabilities and utilise their know-how and skills to create sustainable peace and stability.

Why is it important for CSOs to cooperate with international partners?

Despite having many comparative advantages over international organisations, it is as advantageous for local CSOs to cooperate with international partners, as it is vice versa.

Without a doubt, one of the most essential functions of international partners, and especially of donors, is the financial support they provide. As mentioned before, securing funding from local sources might not always be an easy task due to different reasons. Therefore, funding from international sources is often the only opportunity for CSOs to fulfil their mission and vision. Elbers et al. (2018:9) describe it as providing “lifeblood” to local CSOs, as any activity without secured and sustainable funding are doomed to fail or prove to be extremely difficult to conduct. Especially in closed civic spaces or cultural backgrounds with ignorance about the importance of civil society or human rights, local funds are difficult to secure. By providing financial resources, especially emerging CSOs get a chance to establish their activities and to grow before becoming sustainably independent (Birru and Wolff 2018:841).

Another advantage of cooperating with international actors is their reputation and political influence in the political arena. Transnational advocacy networks have tremendous potential to enhance an advocacy agenda by disseminating information worldwide, putting external pressure on governments and protecting local actors from persecution (Elbers et al. 2018:9–12). Several authors emphasise the comparative advantage of international CSOs, such as persuasion power in advocacy to convince political actors of enhancing a policy area (Busby 2010 in Elbers et al. 2018:9). Furthermore, the effects of international ‘naming and shaming’ can put pressure on states that, for example, fail to prosecute human rights violations (Keck and Sikkink 1998 in Elbers et al. 2018:9). Cugelman and Otero (2010:26) explain that the level of experience, skills and knowledge that international actors bring along might greatly enhance any civil society activity in a local context. Networks that international actors bring to a partnership can add more resources and spread the advocacy concerns to broader audiences (Prakash and Gugerty 2010 in Elbers et al. 2018:9).

2.3.2. Challenges in the cooperation

As in all types of cooperation, local CSOs and international actors' relations do not come without challenges. While the problems are manifold and differ from context to context,

three main areas of potential conflict were identified in literature. Those are issues of funding arrangements, hierarchies and power relations, as well as requirements and conditions. These issues are strongly interwoven and interdependent.

Funding arrangements

One issue that many sources, such as the 2011 OECD report (OECD 2011:27–42), Banks et al. (2015:707–18), as well as Elbers et al. (2018:2–24) in their literature review about the relation of aid chains and advocacy in the Global South, have identified, are the funding arrangements. Most funding mechanisms are short-term and project-based. This puts high pressure on local organisations as they are stuck in constant chasing of funds instead of concentrating on the project. In addition, they have to compete against other CSOs, instead of cooperating within their sector. Thus, a fear of losing jobs is created, as well as the burden of having to follow many reporting steps (Clark 2000:14). Ultimately, they are forced to conduct projects and follow targets that are easily achieved in a short period of time but not advancing the organisation's institutional strength. As advocacy work and policy change often take more time than a pre-defined project allows, and do not always create measurable results, many CSOs shift to service-delivery activities due to the funding arrangements (Uvin 2004:177). The issue with a lack of core funding is that organisations need to be able to fund their overhead costs, such as office rent, electricity and salaries of regular, not project-specific, staff. Also, organisational development and growths are hampered through lack of core funding as all activities will be focused on the acquisition, implementation and reporting of projects (Elbers et al. 2018:3). If local funding opportunities are lacking, a hierarchical gap is created, where local CSOs are pushed to follow their international donors' agendas. Thus, upward mobility of accountability towards their donors, instead of their beneficiaries and constituencies is induced (Banks et al. 2015:710).

Hierarchies and power relations

In the area of hierarchies and power relations, issues often arise in connection with funding sources. Most international donors receive their budgets from public institutions in their home countries or donations. Therefore, they are obliged to ensure the correct, transparent and accountable use of the funds. Thus, when allocating budgets to partner organisations, they entail not only thematic requirements but also tight supervision of their use and strict reporting and accountability guidelines. These dynamics push donors into the dilemma of having to supervise their funds well, pursue their pre-defined goals, and respect civil society actors as equal partners who have their autonomy and independent agendas, instead of merely treating them as agents who deliver the donors' goals (OECD 2011:39). This is strongly related to the before-mentioned problem with funding arrangements, as project-based and short-term funding seem to be monitored

more easily, and tangible results are faster reportable to their respective sources of funding. In many cases, this pressure results in engagement with intermediary, professionalised and mostly international CSOs, which are assumed to be able to handle large funds better than smaller and local CSOs (Elbers and Arts 2011:715; Uvin 2004). Therefore, donor organisations often have the upper hand in the choice of agenda, which undermines local needs and knowledge. This can result in funding of development areas which are less contested, and therefore results can be more easily reached, or in culturally sensitive issues which local CSOs would not prefer to engage in or are simply not the top local priorities (Elbers et al. 2018:14). Therefore, this top-down decision making creates a homogenisation of local efforts as CSOs try to fit into the programmatic profile of international calls for proposals. This discourages local CSOs to focus on priority areas of their constituencies (Elbers et al. 2018:10). Kumi (2017:90) calls this ‘thematic diversification’ – CSOs engaging in various issue areas but diverting from their original mandate in order to fit the thematic areas of funds that are being offered (Elbers et al. 2018:17). Thus, some CSOs may shift from policy area to policy area without necessarily having the mandate or knowledge in this field (Antlöv, Brinkerhoff and Rapp 2010:428).

Requirements and conditions

The third issue area that results from and creates most of the challenges mentioned above are the requirements and conditions imposed on the cooperation. For organisational accountability, international actors transfer highly detailed requirements to their local partners. These might be difficult for CSOs, especially newly established ones, to identify before entering a partnership and also to comply with while having to focus on the implementation of the project. Often, CSOs need further skills and staff members to be able to handle these requirements of application procedures, reporting, monitoring and financial management (OECD 2011:37–38). Especially the stringent selection criteria by international actors, such as multiple years of experience, volume of managed funds, and capacity to fulfil the conditions for cooperation make it difficult for emerging CSOs or grassroots movement to access the support (Elbers et al. 2018:19; see also Wallace, Bornstein and Chapman 2006).

Further, all international actors have different standards, formats and deadlines that partners are required to comply with. This creates a duplication of efforts as most IOs would not accept one comprehensive format that satisfies the needs of all partners (OECD 2011:37). Elbers et al. (2018:20–22) summarise how these strict mechanisms for accountability might hamper an organisation’s connection to its grassroots, organisational learning progresses and “might lead to depoliticisation and risk aversion, reduced context-sensitivity, and unrealistic timeframes”. Therefore, improved professionalisation

of CSOs can be useful, but it also creates the risk of detachment from the local constituency. It further decreases the representation of beneficiaries, as staff members no longer consist of engaged members of the same group of society they aim at representing but of an educated middle-class (Banks et al. 2015:709). Several authors have also observed the effects of results-based accountability (RBA) mechanisms that create a cause-and-effect logic in which only measurable results count. This, however, often contradicts the realities of advocacy work and shifts the focus from empowering marginalised groups to tangible results that can be reported in short periods of time (Banks et al. 2015:710; Elbers et al. 2018:20; Wallace et al. 2006).

2.3.3. Mitigation strategies to counter conditionality

With regard to the second research question, it can be said that not much literature focused on the positive learning effects of a restrictive regime that increase the independence of local actors after the civic space is opened. However, as mitigation strategies of hierarchical structures in development cooperation are also part of the analysis of the second question, here, a comprehensive study by Elbers and Arts (2011) will be introduced. Their research was conducted in Ghana and India and aimed at identifying the strategies of CSOs to avoid donor conditions. After explaining the difficulties of their relations, they draw up four sets of strategies that CSOs employ to counter difficulties with donors and international partners. Table 1 shows the strategies of ‘Avoiding’, ‘Influencing’, ‘Buffering’ and ‘Portraying’.

Table 1: SNGO’s strategic responses to adverse donor conditions

Strategy	Aim	Tactic	Description
Avoiding	Prevent exposure to donor conditions	Selecting	NGO limits contact to compatible donors
		Rejecting	NGO turns down funding offers
		Exiting	NGO terminates funding relations
Influencing	Change content of donor conditions	Negotiating	NGO uses mutual dependence as leverage
		Persuading	NGO convinces using arguments
		Involving	NGO personally engages donor representatives
Buffering	Mitigate impact of unavoidable donor conditions	Shielding	NGO insulates key parts from exposure
		Compensating	NGO offsets problems with discretionary funds
Portraying	Pretend compliance with donor conditions	Window-dressing	NGO conforms superficially
		Withholding	NGO selectively releases information
		Misrepresenting	NGO forwards inaccurate information

Source: (Elbers and Arts 2011:725)

It is explained that ‘Avoiding’ includes CSOs avoiding to interact with their donors, either by reducing the contact to the minimum, by refusing support offers or exiting relations if they become challenging. This way, CSOs do not need to explain divergent

approaches (Elbers and Arts 2011:723–24). The second strategy, ‘Influencing’, implies that the local actor has negotiation power and can change the conditions, thematic priorities or approaches imposed by the international partner. Persuasion and negotiation are based on leverage, where either the local actor is very strong and thus very valuable for the international counterpart or has comparative advantages over the partner. With ‘involving’, a scenario is meant where the individuals of the partner organisation are made allies in the operations which “creates an understanding, whether it is based on sympathy, flattery, guilt or pity” (Elbers and Arts 2011:727). The next set of tactics, categorised under ‘Buffering’ aims at minimising or counteracting the negative effects of the power dynamics. Here, while complying in most parts with the conditions, the core parts of the operations are shielded from adverse impacts and thus are not affected as badly¹². ‘Compensating’ suggests diversifying the sources of funds, so that areas which are not covered by the earmarked funds of the donors, could be covered as well (Elbers and Arts 2011:727). The last strategy, ‘Portraying’ evolves around not enclosing all or accurate information to the partners. By superficially complying with their demands or presenting tweaked reports, they try to circumvent possible sanctions for non-compliance (Elbers and Arts 2011:728).

Other sources, especially regarding the effects of closed civic spaces, could not be identified. However, as discovered by Elbers and Arts, these strategies will serve as a point of comparison for the strategies that developed in Ethiopia during the time of restrictions.

2.4. Literature review about relations between international actors and CSOs in Ethiopia

This chapter gives a brief overview of the existing literature on the topic of this paper. Having mentioned a set of reports and research above, this chapter solely focuses on the main aspects of this work – the relations of Ethiopian CSOs with international actors before, during and after the Charities and Societies Proclamation 621/2009 legislation.

Generally, there are many analyses and reports about the time before and during the previous civil society law. Those mostly deal with the impact of CSP2009 on civic space and the work of human rights and advocacy civil society organisations. Here, Dupuy et al.’s (2015) article explains not only the adverse effects of the previous law but also the survival strategies of local CSOs during this repression. Another paper focusing on the adaptation mechanisms of Human Rights NGOs, such as letting staff go and falling back on volunteerism, was presented by Mersha in 2013 (Mersha 2013). Feleke also analysed the path of one prominent CSO actor in the field of human rights during this particular

¹² An example given explained how the negative comments of the international partners demoralised the project staff, which the CSO reacted on, by designating one individual only who dealt with the partners, while others could calmly continue their project work.

period of time to analyse how exactly the CSP2009 impacted their work (Feleke 2018). The most recent research, which talks about the effects of the previous law and its impact on CSOs fulfilling their roles under the new proclamation, was conducted between 2018 and 2019 by a group of Ethiopian and Dutch researchers (Broeckhoven et al. 2020).

Besides that, general overviews of the civic space and mappings of local civil society actors were published by various actors as so-called grey literature. For example, those are the 2015 “Civil Society Landscape in Ethiopia” by Save the Children (CSO 3 2015). Another one is a mapping of stakeholders of migration work by the International Labour organisations (ILO) and the National Anti-Trafficking and Smuggling Taskforce Secretariat, which includes an overview of many civil society actors as well (Yilak 2018).

Especially during the transition phase from CSP2009 to CSP2019, many articles about the reforms, their risks and opportunities were published. Several international ‘watchdogs’ of civil society developments posted articles about the changing situations. For example, the CIVICUS platform published several articles about the reform process, such as one by Amnesty International in 2018¹³ (Tekle 2018) or comprehensive summaries of current events¹⁴ (Civicus 2019). Additionally, the INCLUDE knowledge sharing platform of the Dutch Ministry of Foreign Affairs posted several articles on the developments in the Ethiopian reform process, such as “Ethiopia’s new civil society law 2019” (Townsend 2019). Additionally, the Dutch Ministry started the research programme “New roles of CSOs for Inclusive Development” with a project called “CSO’s in sustainable development in Ethiopia”. The programme conducts research concerning the problems of Ethiopian CSOs, and the role international partners can play to support and strengthen them (INCLUDE 2018).

In 2018 and 2019 many articles on the new legislation were published by a variety of authors, which talked about what it entails and how it changes the working environment for CSOs. The briefing note “ETHIOPIA - The 2019 CSO Law: Winds of change for human rights defenders in Ethiopia?” by a collaboration of international actors gives a comprehensive overview of the changes that the new law entails, its shortcomings, and recommendations to the Government of Ethiopia on how to successfully implement the new legislation (Staberock and Christopoulos 2019). Birru (2019), too, published an article on the improvements of the CSO law and how it may affect the involvement of CSOs in the upcoming national elections. The Ethiopian CSO, the Human Rights Council, in cooperation with others, published a rather critical article on their blog, questioning whether the new CSO law addresses some of the main challenges and shortcomings of the previous

¹³ “Ethiopia: the need for comprehensive, speedy and inclusive reform”.

¹⁴ E.g. “Ethnic clashes and internet blackouts continue amid Dr. Abiy’s government reform process”.

law. They conclude by recognising the importance of the reforms for opportunities created for local CSOs and their international partners but stress that this cannot be the end of the reform process, as pivotal freedoms are not yet provided (HRCO 2019). A report by DefendDefenders (Meffe et al. 2019), which includes 58 interviews from early 2019, combines a look at the history of the civic space in Ethiopia, the reform process, the new civil society proclamation, its shortcomings, civil society's role in the national elections and the needs identified by CSOs to be able to thrive in the new environment. Finally, recommendations are given to the GoE and CSO actors on how to use the momentum of an opening space to strengthen civil society to let it fulfil its mandates. Also, several other articles put the relations between CSOs and the Government of Ethiopia into focus, especially under the aspect of Ethiopia being termed a "developmental state", which opens opportunities for donors, but bares challenges for local civil society (Brown and Fisher 2020; Tadesse and Steen 2019).

Concerning the relationship between CSOs and international actors, numerous reports and articles are published by international actors themselves, which talk about ongoing collaborations (see IOM 2019; Kahrman 2020; Terefe 2014). These include country strategies (cf. Irish Aid 2013), final and mid-term reports of development programmes (see CSSP 2015; Sørensen et al. 2019) as well as websites of civil society support programmes, such as the Civil Society Support Programme 1 and 2 (British Council 2020) and the EU Civil Society Fund I, II and III (CSF III 2020).

This literature review shows that there are many publications about the situation of civil society in Ethiopia. However, only a few sources examine the new circumstances of the 2019 CSO legislation for the relations of CSOs with international actors. Furthermore, while the negative effects of the previous law and the coping mechanisms were researched, no source seems to focus on the positive effects of the previous law, nor how rights-based CSOs perceive their relations with international partners after the CSP2009 experience. Only Gebre (2016) analysed how CSOs have thrived under the previous law, but puts a strong focus on the success stories of non-rights or Ethiopian Resident organisations. Thus, this paper not only gives insides into new developments of cooperation but also aims at filling the research gap on how closed civic spaces might be beneficial for the independence and sustainability of (human rights) CSOs.

3. METHODOLOGY

In order to answer the research questions¹⁵ at hand and reach the objectives described above, qualitative research was conducted. Mason (2002:1) explained that “through qualitative research we can explore a wide array of dimensions of the social world”. This creates the possibility to analyse a question in a multi-dimensional, yet structured process, which constitutes a multitude of realities that combined create a comprehensive picture of the research context. If conducted following methodological guidelines, qualitative research has the strength to produce reliable and verifiable understandings of the social world. Bryman (2012:380) also called qualitative research an epistemological as well as an ontological approach that allows for interpretations of social phenomenon and the interaction of individuals without having to generalise all findings for the whole population.

This thesis is based on the collection, generation and analysis of primary data collected between November 4, and December 5, 2019, in Addis Ababa, Ethiopia. Theoretical inputs are taken from the review and analysis of secondary materials such as academic reports, field studies from other regional contexts, government documents as well as documents from participating organisations. As a prominent data collection method, qualitative interviews were conducted with representatives of the target groups. A total of 26 interviews were conducted as well as informal discussions held and observations made during public meetings and in daily life. Subsequently, the voice-recorded interviews were transcribed with the help of the software F4transcript. Interview protocols were produced for the non-recorded interviews. The collection of data was then analysed with the help of qualitative content analysis.

3.1. *Methods*

This following chapter will introduce the steps of the research process. It aims at making the research process as comprehensible and transparent as possible.

3.1.1. **Access to the field**

During a work-related stay in Ethiopia, the researcher heard about the topicality of the issue and new developments the sector was going through. Therefore, first contacts with well-informed individuals, such as researchers and civil society representatives, were established. The problem statement was concretised through further literature-based research, and the research questions and questionnaires for the qualitative interviews were developed.

¹⁵ 1. What are the advantages and challenges of the cooperation between international actors and Civil Society Organisations in Ethiopia?; 2. What were the challenges posed on, and retrospectively, the opportunities given to Civil Society in general and Ethiopian Charities and Societies (rights-oriented CSOs) in particular by the Charities and Societies Proclamation No. 621/2009?

The identified individuals were contacted via email or, if available, directly via phone, or earlier contact persons arranged the meetings. Some interview partners were very spontaneous and open for an interview and took a lot of time for the conversation. For others, it was challenging to make enough time, which is why the interviews were kept as short and concise as possible. Most head offices of nation-wide operating CSOs and international actors are located in Addis Ababa – all interview partners were recruited in Ethiopia’s capital.

3.1.2. Research design

This thesis is based on a qualitative research design, which follows a flexible approach. The interviews were conducted in a semi-structured manner whereby the focus was on creating what Mason (2002:64) calls a “conversation with a purpose”. Mason further explains interviewing as a way of understanding social structures, peoples’ thoughts and behaviours, which are not based on superficial and quantifiable answers (Mason 2002:65–68). Referring mostly to expert interviews shows that this research aims at examining social problems and societal solutions as a whole, rather than portraying the individual experiences of a few (Meuser and Nagel 1991:444). Experts are perceived to represent a variety of positions and an extensive background of experience, which they can use to narrate a comprehensive reality of a societal group.

3.1.3. Sampling process

The data for this study was collected with the help of 26 semi-structured interviews with key-informants in Addis Ababa, Ethiopia. As the whole population was not known at the beginning, a non-probability sampling¹⁶ strategy was employed.

Considering the study’s aim of in-depth insights in personal sentiments as well as the limited timeframe of this research (Mason, 2002, p. 125), the informants were identified through prior background research in other publications and on the organisations’ websites. Thus, purposive or criteria-based sampling was applied where possible (Biernacki & Waldorf, 1981). Further, the chain-referral sampling or so-called snowball sampling was utilised. During most initial interviews and informal discussions, the interviewees were asked which other individuals or organisations they would recommend as suitable interview partners. With the help of these networks, it was possible to identify further knowledgeable interview partners and to be referred to them.

Due to the emphasis of the study on local civil society organisations who work on rights issues that continued operating under the previous CSO law¹⁷, most criteria for

¹⁶ Non-probability sampling refers to a where not all members of a population have the same chance to participate, it is the opposite of probability sampling.

¹⁷ I.e. the Charities and Societies Proclamation No. 621/2009.

sampling were determined through these characteristics (i.e. experience in a former Ethiopian Charity, which survived the previous law; CSO in operation since at least 2008). However, in order to be able to contrast their experiences, interviews with non-rights and emerging CSOs were also conducted. In some cases, it seemed profitable to talk to representatives of CSO networks or consortia as they could not only reflect on their own experiences but also include those of their member organisations. Further, to learn about the opposite perspective, several international actors were interviewed. Those can be differentiated into four groups: international organisations representing a group of state actors (i.e. UN agency¹⁸, EU-CFS III TAU, African Union, CSSP2), single state actors (i.e. SIDA) as well as in international civil society organisations (i.e. Life Support Ethiopia¹⁹, Democracy Foundation²⁰, Open Society Initiative), as well as one diaspora CSO, run by Ethiopian-Americans (i.e. African Civic Leadership Program). For simplicity, most of the time in this paper, they will be treated as international actors, as they constitute similar characteristics²¹. Lastly, several experts, either individuals who have experience in the sector in different positions or academics who have conducted research on the topic, were consulted. Some representatives of organisations also asked for being categorised as experts, representing their own opinions instead of the organisation's standpoint. The internal processes would not have allowed them to speak in the name of their employers. As the chance arose, a representative of the federal *Agency For Civil Society Organizations* was asked about the Agency's views on the relations of Ethiopian CSOs and international actors. The interviewees can be divided into different types of groups but will be finally collected in 6 main groups for simplification (see Annex A)²². Annex A includes a detailed list of the interview partners, whereas some information was not permitted to be published. Pseudonyms will replace all interviewees' names and some organisations to prevail anonymity.

Among the 28²³ interview partners, seventeen were men, eleven women. Three participants were non-Ethiopian citizens. Out of those three, one was a citizen from another African country, and two were of European or North American descent. All interview partners were members of an educated middle-class, whereby some have lived in Europe, the United States or other African countries before, and some have experienced jail time in Ethiopia based on their activism for human rights.

¹⁸ Pseudonym which shows a connection to the UN system.

¹⁹ Pseudonym to preserve anonymity.

²⁰ Pseudonym to preserve anonymity.

²¹ I.e. non-Ethiopian funds, headquarters in other countries, non-country specific goals and agendas, etc.

²² 6 representatives of local CSOs with focus on human rights (mostly formerly Ethiopian Charity or Society); 4 experts with experience in human rights protection or human rights CSOs; 4 representatives of non-rights local CSOs; 6 representatives of international actors; 5 experts with positions in international organisations, of which 3 who also have experiences in local human rights CSOs; 1 state representative.

²³ Two interviews were conducted with each two participants (see IO 1; and CSO 7).

The selected sample only represents organisations with headquarters in the capital Addis Ababa, which reduces the study's representation for other organisations. However, as most interview partners combined their experience from a multitude of backgrounds and positions, it is assumed that they were able to present a comprehensive view of the situation. The four CSO consortiums that represent a variety of member organisations from different regions, as well as international actors who have partnered with a number of CSOs from different fields, provided the opportunity to include more experiences than of only those CSOs that participated in the study.

According to Mason (2002:134–35), “decisions concerning the sample size [can be] based on the saturation-point theory, [which] argues that the previously sampled set delivers the information needed to address the research questions and objectives. It is the point when the data does not deliver new information”. Considering this saturation-point, as well as the limited time for field research, this amount and diversification of interview partners are considered suitable to answer the research questions satisfactorily. However, it is regretted that some actors who were considered to represent critical points of view were not able to participate in the study²⁴. As the information collected was frequently reflected with view on the main objectives, it was concluded that the information gathered would provide sufficient insights.

3.1.4. Primary data collection

The interviews were conducted within the course of four weeks. Most interviews were held in the interview partners' offices as those offered more concentrated environments, privacy, and convenience for the highly occupied individuals. Other interviews were conducted in public meeting places, such as cafés or restaurants. However, these meeting points had the disadvantage of high sound pollution, which made it sometimes hard to converse comfortably. Most interviews lasted between 30 and 60 minutes²⁵, not including the conversations before and after the interviews. The interviews were held in English, whereby no use of a translator was made.

The interviews were semi-structured and steered by interview guides²⁶ that included the most important topics as well as some background information about the participants and the organisation they were representing. In order to ensure the quality and appropriateness of the interview guides, a reiterative process of revision of the guides by third parties²⁷ was undertaken. The guides were structured in sections about the general background of the organisation, the impact of the previous and new legal

²⁴ E.g. Human Rights Council, Human Rights Commission. A referendum about a region's independence took place. Many rights-oriented CSO representatives were in that region to conduct election monitoring missions.

²⁵ One was much longer with a duration of 1 h 37.

²⁶ See two examples of the interview guides, which represent most questions asked to all actors in Annex C.

²⁷ The third parties included Lena Gutheil, scientific assistant at Rhine-Waal University of Applied Sciences, as well as Expert 10, PhD candidate at University of Glasgow.

environment for their work as well as the cooperation with and opinions about international actors (or CSOs in interviews with international actors) (Mason 2002:66). After the first interviews, the guide was revised, and the most essential questions identified²⁸. The flexible structure of the interviews allowed the researcher to include unexpected topics and ask follow-up questions to inquire for more detailed information (Mason 2002:62). An important question that interviewees often used to mention topics that have not been addressed before was “What is your message to international actors/CSOs? What would you like international actors/CSOs to know when cooperating with Ethiopian CSOs/international partners?” According to Willis (2006:154), this part of semi-structured interviews is vital to giving room for topics that the researcher had not included before.

Before every interview, the participants were briefly informed about the study’s idea and topic, the researcher’s background, and were handed out an information sheet with contact details upon which further questions could be clarified (see Annex D). This plain language statement further explained the research rationale and ensured transparency about the motives and background of this study (Serfling 2017a:17). The consent form explained that the participants were free to end the interview at any time or to decide not to answer specific questions. Further, it gave a choice between being voice recorded or not and how they would prefer to be mentioned in the paper (see Annex A). Considering the history of suppression of CSO work and persecution of Human Rights Defenders (HRD), it was surprising that most CSO representatives opted for full disclosure of their identity²⁹. Other research with a similar target group shows that they did not have the freedom to freely express their opinions before the enactment of the new legislation and therefore used to stay anonymous in publications (see Menkir 2018; Mersha 2013). On the other hand, representatives of international agencies decided more often, that they would prefer to stay anonymous as they would have had to confirm their statements with their superiors in advance. As suggested by Mason (2002:82–83), participants had an option not to answer parts of the interview, make certain parts anonymous, interrupt the recording or stop the interview altogether. What is more, the participants were informed that the participation could not ensure any economic, political or social benefits, was not remunerated in any way and the aim of this research was to create awareness and understanding of the Ethiopian context.

²⁸ In addition, before every interview, the guide was personalised for the next interview partner, as some questions did not apply to some interviewees.

²⁹ In some cases, despite the permission to reference someone with their full name and position, certain statements were made where it was specifically asked for keeping these information anonymous. Therefore these passages were deleted from the interview transcripts and cited as (anonymous) in this paper.

3.1.5. Secondary data collection – Literature review

Before, during and after the field research phase, an extensive knowledge collection was conducted with the help of secondary data. The literature concerning civil society's relations with international actors, the mutual benefits and challenges was read to gain a fundamental understanding of the research topic. The use of literature is essential for any qualitative or quantitative research, as it enriches research by supplementing information to the primary data as well as the theoretical framework (Overton and van Dierem 2014:44). The collected secondary information was analysed compared to the experience in the Ethiopian context. Foremost, studies from other researchers or grey literature from international actors proved to be interesting as they had similar samples³⁰ and similar questions in their qualitative approaches but were conducted at different points in time³¹.

3.1.6. Organisation and analysis of primary data

For the analysis of the primary data, firstly all interviews were transcribed with the help of the software F4transcript. Other data sources, such as interview protocols and observation notes, were also digitalised in order to have a complete collection of sources from the field research. In total, the transcripts are collected on 242 pages. During the transcription, usual notation systems were not applied as they would not produce an added analytical value³² (Meuser and Nagel 1991:455). Furthermore, the original grammatical structure used by the speaker was kept and only later corrected when directly quoted in the interpretation of the results.

For the analysis, a qualitative content analysis was chosen, aiming to systematically analyse the material in a theoretic manner. The material of interest is considered in its context, and according to the interview structure at hand. In order to structure the material, categories in the form of codes were designed. The creation of the codes was done in a deductive, in combination with an inductive procedure³³. According to Mayring (2014:95–98) the deductive method creates categories which are based on the theoretical background of the study, such as applicable theory, as well as the research questions and objectives. Therefore, most categories were chosen in accordance with the elements of the research questions. Additionally, while reading the transcripts, further categories and mostly subcategories were derived that presented new aspects to the research, which is called the inductive category formation. After coding a quarter of the transcripts, the categories were revised and controlled whether still applicable for all

³⁰ As the civil society community, especially in Addis Ababa, is relatively small, many similar actors were interviewed.

³¹ The chapter 2.4 (Literature review) gives a comprehensive overview about existing research.

³² See all transcripts and the applied notation system in the digital annex to this thesis.

³³ Which can also be called "literal and interpretive reading" (Mason 2002:156).

interviews and newly established categories were applied on the first interviews not to leave out relevant point of views³⁴ (Mayring 2014:79–82).

As suggested by Mason (2002:153), this coding process is not only a time-intensive exercise but most importantly helps the researcher organise the data. These categories play several roles, such as making the meaning of the issues mentioned in the interviews more comprehensible and filtering parts that else would not have stroked the researcher's attention (Mason 2002:154). Further, the categories help locate specific arguments, topics or quotes among the mass of information and, therefore, better organising the paper's flow and argumentation (Mason 2002:154–55).

In the next step, the applicable codes from the matching categories were sorted into an argumentative line in a word document. Through that process, the final analysis and results³⁵ were derived. The aim was to generate general assumptions about the realities that local civil society actors and international counterparts interact in, which was derived by individually presented, but collectively shared and experienced, contexts (Meuser and Nagel 1991:464).

In the last step, for a better overview, a fishbone diagram and a flowchart were developed, displaying the results of the research questions. Furthermore, the results and additional content from the interviews were utilised to draw recommendations for both groups of actors.

3.2. Reflection on the research process, limitations and biases and ethical considerations

In this section, two areas of limitations will be reflected: the logistical-technical problems of executing field research, and the biases created through the researcher's role as a German, young, white, female, graduate researcher.

The first limitations are related to time. Due to time and budget constraints, the research phase in Addis Ababa was only set for four weeks, which made it difficult to fully immerse in the community of civil society actors. Also, it limited the study to interview partners in the capital as travelling to other areas would have been time-consuming and in some cases, at a security risk due to unstable political situations in some regions. The short period of research created pressure for the interview partners to create time on short notice. This often resulted in limited time for interviews and short-notice appointments but avoided long-stretched searches for appropriate time slots. The other issue was the time during which the interviews were held. While many interview partners said that they could now speak more freely about their situation than just a year ago, many also mentioned the fact that the country and the sector were still in a transition

³⁴ See full list of coding categories in the Annex B.

³⁵ See Chapter 5 (Results and Analysis).

phase and concrete statements about new developments could not be made yet. Also, as it was a transition phase, and the preparation of the report would naturally take some time, the status quo has changed between the conduct of the interviews and the submission of this thesis. For example, the situation concerning security in the country changed, which is connected to the civic space³⁶. In addition to that, in the middle of the research phase, a referendum about the secession of a region took place in the south of Ethiopia³⁷. Many civil society members were in that region to conduct pre-election tasks of CSOs and observe the elections. These CSO actors were mostly representatives of rights and advocacy-oriented CSOs who constituted the thesis' primary focus group, which made it difficult to get interviews with these actors and reduced the representation of that group in the sample.

The next set of limitations arose from the sample and the participants themselves. The snowball sample technique in which potential interview partners are being suggested by others holds the risk that only a selection of a certain group of people gets interviewed as they tend to be representatives of similar perspectives (Overton and van Dierem 2014:45). This risk was countered by starting the sampling with several initial contacts that led into different circles, and by personally contacting identified individuals. However, often it was not easy to find additional information on the Internet; neither about the private person and her or his positions nor about the organisations. Often the websites of the local CSOs were not up to date or did not contain much information. This challenged the interviewer. She often had to change the type of questions during an interview because more information was revealed, and other topics could be better covered by the person than what the researcher had prepared. This flexibility is described by Mason (2002:67) that a "qualitative interviewer has to be ready to make on-the-spot decisions about the content and sequence of the interview as it progresses". On the other hand, it was not always possible for the interview partners to talk as representatives of the organisations they work for³⁸, because they did not have the approval from their superiors. Therefore, while having prepared to learn about an organisation's approach, the interviewees were only able to talk about their personal perspectives and experiences, which reduces the representation of international actors in this research. Another underrepresented group are non-Ethiopians. While it was aimed at comparing foreign views with local views by interviewing international actors, most participants - even of the IOs - were Ethiopians themselves and had a fair understanding of the local context. This was undoubtedly helpful, but it limited the voices of foreigners working in the context and the specific challenges they might face.

³⁶ See more on the current issues in Chapter 4.

³⁷ The Sidama referendum on the creation of the Sidama Region took place on 20.11.2019.

³⁸ Especially representatives of international actors.

Although most interview partners were members of the educated middle class, English was not their first language, and the help of translators was not utilised, which in some cases made it difficult for the interviewees to express their concrete views or for the interviewer to understand what they said entirely. As English is also not the author's native language, linguistic and social difficulties of translation remained during the field research (Brinkmann and Kvale 2018).

In theory, it is often suggested that the researcher chooses the interview location to avoid external interruptions or hierarchic settings. However, in this research, it seemed more convenient for the local interview partners to suggest the meeting points, as they were more familiar with the area and did not always have much time. However, this approach had the disadvantage that loud external noises³⁹ could not be avoided in several chosen locations and disrupted the interview flow. These noises also diminished the quality of the transcription of the interviews⁴⁰. Also, two interviewees did not allow the recording of the conversation, which is why their contents were fully taken from notes of the interview protocols.

During the interviews, a semi-structured interview style was used. Therefore, the interviewer was able to adjust the questions depending on the participants' role, knowledge and openness. In some cases, more provocative questions were asked (if for example the interviewee only talked about very general stuff), or deep-rooted questions (if the person seemed very knowledgeable and able to share more from experience). Simultaneously, in other situations, the researcher refrained from critical questions as it could have made the interviewee sceptical of the intentions behind this research (Mason 2002:80–81). A neutral and open mind was kept throughout the field research and the later analysis, as personal biases could have distorted the data. In several cases, it proved to be challenging to stick to the interview guides as new and unexpected, but not always relevant topics were explained. This is mentioned by Mason (2002:82) as in "What you 'let' your interviewees tell you", and requires the researcher to reflect on how to deal with topics that might be too private or deviating from the main topic.

Finally, in qualitative research, the researcher's role and other power relations need to be reflected (Mason 2002:66). First of all, the researcher is a German, female graduate student in her mid-twenties, who does not consider herself an expert on the Ethiopian context nor civil society. Before requesting time and knowledge and sometimes even emotions from participants, it was made sure that this research topic was worthwhile and appreciated by the actors involved. Therefore, a rather participatory approach for the

³⁹ Such as coffee machines, music or construction works.

⁴⁰ Therefore, several passages had to be listened to several times, the sound quality had to be improved by a sound engineer and some contents had to be reconstructed with the help of the researcher's notes.

design of the research was used (Serfling 2017a:16). The six months of internship in Ethiopia were utilised to understand as much of the context as possible and talk to knowledgeable people in the civil society sphere to figure out relevant topics that require further research. Furthermore, the researcher participated in an in-house workshop of the Goethe-Institut, which tried to identify possibilities to support civil society (see Expert 12). It is assumed that this research results might help local and international actors in Ethiopia identify their challenges and find suitable solutions, as well as help researchers and other interested parties understand some background to the current situation (Serfling 2017a:16).

On the next level, being a white, female, German researcher also created opportunities (Mason 2002:68). The researcher was told that she would not have had the chance to talk to such a variety of important actors, if she had been an Ethiopian or African researcher, even if holding a higher academic degree. In other contexts, the status of being a graduate student and of that age might have hindered a researcher from getting specific interview partners, but in this context, it did not seem to be a hindrance. Being German (and white) might have been interpreted by some interview partners as a good networking opportunity with international partners or decision-makers. Several times, the role of being an independent researcher had to be explained so that no false hopes or expectations could arise (Mandel 2003). Therefore, it can also be assumed that some answers involve a “socially-desirable bias” as particular messages were portrayed in the hope that this research acts as a mouthpiece for their agendas (Serfling 2017b:4).

Additionally, as Abels and Behrens (2002:182) as well as Vogel (1995:80) explained, a distortionary interaction effect in the sense of the paternalism effect has likely appeared in several interview contexts. The paternalism effect is often materialising if the consulted individual perceives the interviewer as less knowledgeable in the research topic and, thus, assumes a more explanatory way of narration. Being significantly younger, foreign and female might have created the impression that more contextual explanation is needed. While this could result in expanded narrations, it often also results in more comprehensive explanations that can help study the researched context. Nevertheless, although the effect appeared, the researcher was able to portray a sufficient understanding, and a high level of acquired knowledge to stir the conversation in the right directions and ask relevant follow-up questions when needed.

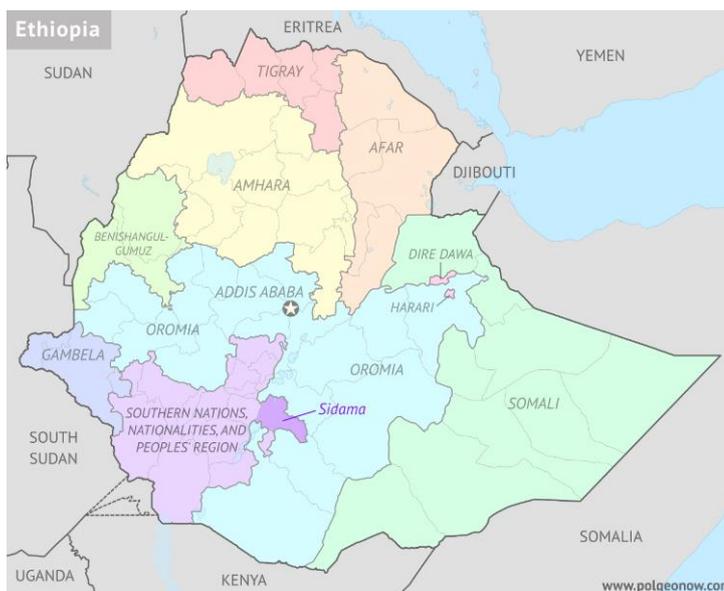
Concerning the data analysis, some interview partners obtain a more considerable amount of citations as they were either representatives of the focus group or had much experience in the field. Besides, the later the interviews were conducted during the

research phase, the more contextual knowledge, as well as interview skills, had been acquired by the researcher, which also improved the quality of the conversations.

4. BACKGROUND INFORMATION ON THE AREA OF STUDY

Ethiopia is the second-most populous country in Africa after Nigeria, with more than 112 million citizens as of 2019⁴¹. It is a landlocked country of 1,104,300 km² in the Horn of Africa, which is neighbored by Eritrea, Somalia, Kenya, South Sudan, Sudan and Djibouti (see Figure 1) (World Bank 2020).

Figure 1: Map of the Federal Democratic Republic of Ethiopia



The Federal Democratic Republic of Ethiopia (FDRE) is a federal parliamentary republic based on nine autonomous Regional States⁴² and two city administrations⁴³ (PMO 2019). Ethiopia is an ethnic-federalism, which means that by constitution, all ethnic groups⁴⁴ and nations are free

Source: (PolGeoNow 2019)

to govern themselves. Thus, a multi-layered federal system is supposed to grant many freedoms for the peoples (Yishak and Gumbo 2014:186). In sub-Saharan Africa, Ethiopia stands out as one of the few countries that were never colonised, despite an Italian invasion between 1936 and 1941 (Podestà 2013). Economically, Ethiopia is considered one of the poorest nations, with a GDP per capita⁴⁵ of \$1,794 and a GNI per capita⁴⁵ of \$1,782 and therefore considered a low-income country (World Bank 2019). The income inequality, measured by the Gini coefficient lies at 39.1⁴⁶, which indicates a relatively high income inequality (UNDP 2020). While the GDP growth rate has been constantly high between 9 and 10 per cent over the last years (World Bank 2020), and the share of the population living below the national poverty line decreased from 30 per cent in 2011 to 24 per cent in 2016, the Human Development Index (HDI) lies at 0.470, which only

⁴¹ As there has not been a national census since 2007, due to political sensitivity, this number is estimated by the World Bank and other sources indicate different numbers.

⁴² Oromiya, Amhara, Afar, Tigray, Somali, Benishangul-Gumuz, Gambela, Southern Nationalities and Peoples, Sidama.

⁴³ Addis Ababa, Dire Dawa.

⁴⁴ Approximately 80 different ethnic groups with their own languages and cultures (GGGI 2011:8).

⁴⁵ GDP and GNI per capita of (2011 PPP \$).

⁴⁶ Whereby 0 indicates total equality and 100 total inequality.

constitutes rank 173 in the world (UNDP 2020). Ethiopia is currently concluding its second Growth and Transformation Plan (GTP II), aiming at reaching a lower-middle-income status by 2025 (World Bank 2020). Currently⁴⁷, Ethiopia's economy is especially struggling from the impacts of the global Covid-19 pandemic, the worst locust invasion in decades, as well as from political and ethnic conflicts, which are currently increasing (World Bank 2020). Among African countries, Ethiopia has been receiving the largest amounts of Overseas Development Assistance (ODA) since 2007 (Dupuy et al. 2015:433), with a net official development assistance of 5.1 per cent of the GNI (UNDP 2020).

Concerning freedoms and democracy, a new era began when Dr. Abiy Ahmed became Prime Minister in 2018. With coming into power, he started the reform processes of several controversial laws and released many wrongfully arrested opposition politicians, journalists and bloggers. Parallel to the opening of the civic space, in light of ongoing protests and violent clashes, another restrictive legislation on hate speech was published⁴⁸ in March 2020. However, according to Reporters without Borders, Ethiopia ranks 99 in the World Press Freedom Index out of 180⁴⁹ (RSF 2020). With regard to civic space, the CIVICUS monitor also gives an insight since it states that Ethiopia is still 'repressed'⁵⁰ (Civicus 2020). Nevertheless, especially the recent events, since October 2020, with the postponing of the national elections and the civil war in the Tigray region, with a state of emergency, military operations, internet shut-downs, arbitrary arrests of journalists and opposition members, brings concerns for a renewed closing space⁵¹.

The notion that Ethiopia has been a so-called developmental state (even a Democratic Developmental State (DDS)) during the regime of the previous Prime Ministers, Meles Zenawi and his successor Hailemariam Desalegn, is also crucial for the following analysis (Salih, Eshete and Assefa 2018:9). Developmental states are characterised by the state playing a pivotal role in the development approaches, or it could be said: "a state that intervenes and guides the direction and pace of economic development" (Caldentey 2008:28). This role is strengthened by "autonomy and embeddedness" (Routley 2012 in Tadesse and Steen 2019:1258), which suggests independent state authorities which are detached from external interferences, but at the same time keep strong relationships with different sectors of society to enhance their

⁴⁷ As of the end of 2020.

⁴⁸ Namely the "Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185 /2020".

⁴⁹ Whereby 1 constitutes the highest freedom and 180 the lowest freedom. It is 11 positions higher than in 2019 and higher than in 2018 and 2017.

⁵⁰ Which is better than being categorised as 'closed', which Ethiopia has been rated since the establishment of the CIVICUS monitor in 2007.

⁵¹ Several other incidents, in other regions of Ethiopia have been reported by the CIVICUS website which indicate less freedoms and a return to an authoritarian leadership (Civicus 2020).

cause. Whether Ethiopia has been a DDS, as claimed by the previous administration, or an authoritarian developmental state is highly debated (Tadesse and Steen 2019:1257). In either case, this choice of development strategy seemed to have a substantial impact on how civil society was interpreted and expected to play its role. According to Brown and Fisher (2020:189), international players saw Ethiopia as a strong-willed and ambitious partner for development and in the fight against terrorism in the Horn of Africa. It is argued that this was used to “justify [the international actors’] withdrawal from serious engagement on democratic reform” and criticism of human rights violations. This resulted in high ODA and strong Western support, despite the closed space phenomenon. According to Brown and Fisher (2020:189), the new administration has distanced itself from the developmental state ideology and advocates more for liberal democracy and liberalisation of the market.

4.1. History of civil society in Ethiopia

Ethiopia has a long history of traditional community-based self-help groups⁵² and church-based organisations, but the modern form of civil society started with the modernisation and urbanisation in the 1930s (Clark 2000:4; IO 1, para. 8). In 1960 the first law governing civil society came into force, the “Civil Code of Ethiopia 1960” (Empire of Ethiopia 1960). By this proclamation, civil society's role was to fill the void of peoples’ need for development that the government under Emperor Haile Selassie and the traditional self-help groups could no longer fulfil. Most NGOs, active in emergency and relief operations, were created during the two catastrophic famines of 1973 and 1984-85. They, as well as church-based organisations, played crucial roles in providing life-saving provisions to millions of people as they were the main channels of receiving international donations at that time (Clark 2000:4). The socialist Derg regime under Mengistu Haile Mariam, which ruled the country from 1974 until its overthrow in 1991, discredited NGOs as agents of the West and tried to undermine their work (Clark 2000:5). Only mass-based organisations, like youth associations that were heavily dependent on the party, were supported (Expert 12, para. 6–12). Nevertheless, especially during the second famine, they were forced to accept NGO support as international actors insisted on operating through local CSOs to ensure the aid arrived with those in need. During the civil war period in the fight against the Derg regime, many relief NGOs were founded, both on the government side and on the opposition side, which rescued people living in regions which were controlled by opposition forces (Clark 2000:5).

In 1991, revolutionary forces defeated the Derg regime and a transitional government was formed, which wrote a new constitution and set the path for the first (presumably) free elections in 1995 (Meffe et al. 2019:13). Also, in 1995 the government issued the

⁵² Prominent examples are the “*eddir*” and “*equb*” which offer economic support to its members.

“Guidelines for NGO Operations”, which provided some guidance, but excluded many forms of civil society actors (Clark 2000:13). At that time, civil society organisations were weak and not rooted in constituencies as their primary focus was still on service delivery with not much emphasis on human rights or advocacy work (Clark 2000:6; Expert 4, para. 9). In the mid-1990s, the government had reservations about the work of civil society. Those included the fear of ‘briefcase NGOs’⁵³, CSOs being puppets of Western agendas, or taking development assistance from international sources, that otherwise were assumed to flow into the state’s budgets. In addition to these hostile forces, also “the sector as a whole suffered from divisions along social, political, and ethnic lines and encouraged a perception of NGOs as extraneous to the daunting development agenda facing the nation” (Clark 2000:6). Nevertheless, after the fall of the Derg regime until the elections in 2005, several influential CSOs were established, which built constituencies and mandates, also in human rights and advocacy, and enhanced their capacity and experiences. The numbers of CSOs rose from 70 in 1994 to 368 in 2000, and 2275 in 2009 (Dupuy et al. 2015:425).

For the first time, in 2005, Ethiopia experienced a considerable democratic pre-election period, in which local civil society actors were highly involved in civic and voter education, conducting public debates, and deploying public observers to the elections (Birru 2019). Despite high victories for opposition parties, the EPRDF⁵⁴ government challenged the results and claimed fraud. This led to nationwide protests that were violently cracked down by government forces. Protesters, members of opposition, journalists and civil society representatives, especially human rights defenders, who were accused of supporting the opposition and the violent protests, were persecuted, imprisoned or forced to leave the country (Birru and Wolff 2018:834; HRCO 2009:4; Meffe et al. 2019:14). The EPRDF, in crisis after the elections, rethought its stance towards civil society and freedom of expression and the right to political participation. This led to the enactment of three draconian laws which reduced the civic space tremendously: the *Mass Media and Access to Information Proclamation* of 2008, the *Anti-Terrorism Proclamation* of 2009, and the 2009 *Charities and Societies Proclamation* (CSP2009) (Meffe et al. 2019:14).

Since 2005, but more so since 2009, the civil society sector in Ethiopia was deformed. The civil society proclamation changed the sector altogether. While many ‘briefcase NGOs’ were terminated⁵⁵ (Dupuy et al. 2015:433), most genuine CSOs were forced to either change their mandates and areas of engagement, rebrand their missions, reduce their operations and resources, or shut down activities. However, the group of CSOs that

⁵³ Briefcase NGO is a term which depicts that an organisation portrays itself as a genuine actor, produces projects proposals and reports but manages to pocket the funds in private accounts instead of using them for activities.

⁵⁴ The Ethiopian People’s Revolutionary Democratic Front was the ruling coalition party since 1991.

⁵⁵ According to the Agency only 38% of the registered CSOs had enough prove of activities over the past years, which suggests that 62% of organisations to have been briefcase organisations. (Dupuy, Ron and Prakash 2015:433).

suffered the most under the new legislation were the Ethiopian human rights organisations, called 'Ethiopian Charities' and 'Ethiopian Societies' in the CSP2009 (FDRE 2009), as they were not allowed to access more than ten per cent of their budget from international sources. This left a group of approximately 12 rights-oriented CSOs from previously 125 registered groups (Dupuy et al. 2015:433–34). Service-delivery and development CSOs, on the other hand, were labelled as Resident and were, therefore, allowed to receive 90 per cent of their budgets from international sources. On the downside, Resident CSOs were exempted from engaging in advocacy, promotion of rights, peace and conflict or other sensitive issue areas (FDRE 2009).

While the 2010 and 2015 elections were held without any democratic involvement by CSOs or independent press, and produced a landslide win for the EPRDF, angry protests erupted after the 2015 elections⁵⁶ (Meffe et al. 2019:15). Over the course of several months, the protesters demanded political reforms, political participation of marginalised ethnic groups and an end to human rights violations. The government reacted with severe force and even more violations of human rights, such as arbitrary detentions with inhumane conditions, killings, and lengthy shutdowns of the internet (Meffe et al. 2019:15–16). Relations with international actors observing and pointing out these violations deteriorated (Abbink and Hagmann 2013). Finally, at the beginning of 2018, Prime Minister (PM) Hailemariam Desalegn resigned and a transitional PM, Dr. Abiy Ahmed Ali, was announced. Abiy being a member of the Oromo tribe and envisioning many changes for the country, replaced the long criticised political hegemony of the Tigrayan minority and calmed the protests (Meffe et al. 2019:16).

Dr. Abiy Ahmed brought a 'wind of change' into the political sphere of Ethiopia. Although he is a member of the 29 years-long leading party EPRDF, he understood the people's frustration and promised broad democratic reforms. He started by releasing political prisoners, decriminalising opposition parties and igniting a somewhat successful peace process with the long-term neighbouring enemy, Eritrea⁵⁷ (Birru 2019). The reform process was initiated from within the government, which instilled hope to many but also scepticism since many doubted that the whole political apparatus could easily follow such a top-down approach (Meffe et al. 2019:16–17). Soon after his inauguration, the PM installed a Law and Justice Advisory Council (LJAAC) consisting of 13 members, which was tasked with reviewing the three most problematic laws: the CSO Law, the Anti-terrorism Law and the Media Law (Staberock and Christopoulos 2019:3).

After many consultations with civil society and other experts, the new *Civil Society Proclamation No. 1113/2019* (CSP2019) was adopted in February 2019 (Staberock and Christopoulos 2019:8). The law was drafted by members of civil society who have most

⁵⁶ More precisely, the protests broke out in August 2016 (Meffe et al. 2019:15).

⁵⁷ Peace was not that sustainably successful, but at least for some time borders were open and conflicts ceased.

suffered under the previous law, but who also took into consideration the reasons for the CSP2009⁵⁸ and modified these passages to become more enabling for the sector as a whole (Expert 7, para. 3–9). The differences between the CSP2009 and the CSP2019 will be briefly outlined in the following chapters.

Since conducting the study at the end of 2019, many developments took place in Ethiopia that hint at an increasingly diminishing civic space. Ethnic violence across the country, extrajudicial executions by state forces, imprisonment of political opponents and police prevention of political demonstrations are just a few events that took place in 2020. In addition, in late October 2020, the federal government declared war against the state of Tigray⁵⁹. In protest, the Tigrayan forces attacked a federal military basis which ignited a civil war in the region⁶⁰ (Zelalem 2020). As these developments took place after the conduct of the study, they can only be marginally taken into consideration in the following analyses.

4.2. *Civil society legislation*

The following chapter will provide a glance at the content of the two civil society legislations which this thesis is based on, the *Charities and Societies Proclamation No. 621/2009* (CSP 2009) and the *Organizations of Civil Societies Proclamation No. 1113/2019* (CSP2019).

4.2.1. **Charities and Societies Proclamation No. 621/2009**

Published in February 2009, the CSP2009 followed a series of other reforms which aimed at closing the civic space.

One of the main points that the law introduced was the differentiation between Ethiopian Charities and Societies (Art. 2(2)), Ethiopian Resident Charities and Societies (Art. 2(4)) and Foreign Charities (Art. 2(3)) (FDRE 2009). The two main differences being the areas of engagement they were allowed to work in and the sources of funds. Being entirely in Ethiopian hands, Ethiopian Charities and Societies were not allowed to accumulate more than 10 per cent of their budget from foreign sources⁶¹. Ethiopian Resident organisations could receive more than 10 per cent of their budget from foreign sources (HRCO 2009). The former was thus the only group of CSOs that was allowed to engage in “the advancement of human and democratic rights, the promotion of

⁵⁸ For example to identify ‘briefcase NGOs’ and to filter out CSOs that were truly working to reach their goals.

⁵⁹ The reason being that Tigray has convened elections which were not accepted by the government in power as it had postponed national elections due to the Covid-19 crisis.

⁶⁰ Here it can be noted that the former coalition in power (EPRDF) was disbanded and new coalition party (Prosperity Party), which is based on three out of four ethnic-based parties, was formed in 2019. The Tigrayan party (TPLF) refused to be a member of the new coalition, which also fuelled their frustration about losing the long-held power position in the Ethiopia (Gedamu 2020).

⁶¹ Art. 2(15) “Income from Foreign source” means a donation or delivery or transfer made from foreign source of any article, currency or security. Foreign sources include the government, agency or company of any foreign country; international agency or any person in a foreign country (this includes diaspora Ethiopians) (FDRE 2009).

equality of nations, nationalities, people, gender and religion, the promotion of the rights of adults and children with disabilities, the promotion of conflict resolution or reconciliation, and the promotion of the efficiency of justice and law enforcement services” (Birru 2019). Therefore, the latter two (Resident and Foreign organisations) could only engage in service delivery and development activities.

Another part of the law that stifled the operations of CSOs was the so-called ‘30/70 rule’⁶². The rule stated that organisations had to allocate 70 per cent of the budget to operational activities that are related to their objectives, while only 30 per cent could be used for administrative costs. While this rule did not seem problematic in itself, it needs to be noted what type of costs were specified to be administrative costs. A further directive⁶³ by the Agency declared many programme costs to be administrative⁶⁴, which was arbitrary and not consistent (Expert 7, para. 7; see also HRCO 2009:2–3).

The third problematic provision of the proclamation was the establishment of the Charities and Societies Agency (hereafter: the Agency) (FDRE 2009). The Agency had the power to approve or deny registrations of CSOs, dissolve CSOs, inquire about operations of CSOs, deny accumulations of funding or other assets, freeze assets if deemed necessary, monitor budgets, impose financial penalties, and many more, which restricted the freedoms of civil society (Birru and Wolff 2018:834; FDRE 2009; HRCO 2009:2).

The official goal of the government for introducing this law was “to ensure [that] CSOs and NGOs are truly focused on helping the development of the country and [are] not involved in illegal activities or sponsorship of extremist groups”, as former PM Melawi explained (Birru and Wolff 2018:839). Nevertheless, it can be assumed that other factors also enforced the enactment of this law, such as depriving local CSOs the opportunities to voice out against misconducts of the state and having control over international forces that would support such efforts. The law’s actual effects for civil society were laid out by several authors (see Broeckhoven et al. 2020) and will be summarised in Chapter 5.2., when the second research question is answered.

4.2.2. Organizations of Civil Societies Proclamation No. 1113/2019

After the inauguration of Dr. Abiy Ahmed as Prime Minister in April 2018, several reform processes were initiated. Among them was the civil society law, which finally entered into force in March 2019 as the new *Organizations of Civil Societies Proclamation No. 1113/2019* (CSP2019) (FDRE 2019). The new proclamation was written in an inclusive

⁶² Art. 88(1) Any charity or society shall allocate not less than 70 per cent of the expenses in the budget year for the implementation of its purposes and an amount not exceeding 30 per cent for its administrative activities. (FDRE 2009).

⁶³ “Directive to provide for income generating activities by charities and societies no. 7/2011”.

⁶⁴ i.e. salaries of programme staff, per diems for trainers, etc. (Expert 7, para. 7) or training for staff members, research, and networking costs (Townsend 2019).

process by an Advisory Council under consultation with all relevant stakeholders⁶⁵, including a diversity of civil society representatives across the country (Expert 7, para. 9; Staberock and Christopoulos 2019:3, 8). It appears that the CSP2019 respects the role of CSOs as independent actors and grants them the freedoms of self-regulation, self-administration (Art. 5(7)) as well as operational freedom (Art. 62(1)). It puts more emphasis on the protection of rights than the previous law (Meffe et al. 2019:20).

The new law lifted the three-way categorisation of CSOs and changed them into only two, Ethiopian (Art. 2(2)) and Foreign (Art. 2(3)), whereby they are both allowed to work on all issue areas (Art. 62(1)), especially also on rights and advocacy issues (Art. 62(8)). The only restriction is put on Foreign CSOs working on lobbying and election-related issues, except in a partnership with a local CSO upon approval from the Agency (Art. 62(5)) (Meffe et al. 2019:20). In addition, under the CSP2019, all CSOs are allowed to receive funds from any legal sources and run income-generating activities (Art. 63(1 b, c)). This creates many new opportunities as especially rights-based CSOs were strongly affected by the previous restrictions on sources of income. Furthermore, the '30/70 rule' was substituted by the '20/80 rule'⁶⁶ (Art. 63(2)), which, however, defines administrative and operational costs in a more appropriate way (Broeckhoven et al. 2020:27; HRCO 2019; Meffe et al. 2019:22).

The Agency was renamed⁶⁷, restructured and new officers were appointed. The Agency's powers were reduced, but it still has the mandate to give authorisation to CSO registrations, run auditing processes (Art. 74(1 & 2)), and other oversight activities. On the positive note, all organisations are now allowed to appeal to the decisions of the Agency in legal processes and time limits are set on the administrative duties of the Agency (Arts. 59(8), 77(5), 78(5)) (Birru 2019; Broeckhoven et al. 2020:26).

A new step that was introduced is the self-governing body, the Council of Civil Society Organizations (hereafter the Council) (Art. 85) (Broeckhoven et al. 2020:25). The Council consists of all registered CSOs and is supposed to represent and coordinate the civil sector in an independent manner (Art. 85(1), (5c)). Its main task is to "enact the Code of Conduct for the sector, and devise enforcement mechanisms in consultation with the Agency, donors and other stakeholders" (Art. 85(5a)), which is a new approach towards an independent and self-sufficient sector. Additionally, the Council is tasked to appoint three CSO members of the Agency's board (Art. 85(6))⁶⁸.

⁶⁵ The CSP2019 is also in line with the African Commission on Human and Peoples' Rights Guidelines on Freedom of Association and Assembly in Africa (ACHPR Guidelines) (Meffe et al. 2019:20).

⁶⁶ Whereby 20 per cent of the budget can be used on administrative costs and 80 per cent on operational costs.

⁶⁷ I.e. *Agency For Civil Society Organizations*.

⁶⁸ In total, seven members of the eleven-strong board are representing CSOs, which gives them a majority in the decision making (Staberock and Christopoulos 2019:8; Expert 7, para. 7).

Most actors commend the new law as it was written in a consultative process – it contains many improvements. Only a few concerns remain, such as the criminal sanctions for informal CSO activities or the exclusion of previously criminally convicted individuals from serving as officers or board members of CSOs (Art. 65(1)) since it includes HRDs who were convicted for their human rights protection activities (Meffe et al. 2019:21). Also, despite its presumably positive effects⁶⁹, many criticise that established CSOs need to re-register with the Agency, which is seen as a downside of the law, as it evokes an authorisation, instead of a notification regime (HRCO 2019; Meffe et al. 2019:21; Staberock and Christopoulos 2019:9). Other downsides were mentioned by authors and civil society representatives alike, but do not seem relevant to this research context.

During an interview with a representative of the current Civil Society Agency, the relation with civil society was explained in the following manner:

Until the recent the reforms, the country had many problems with Human Rights. We now let civil society get involved in everything that is happening in the country so that they can contribute constructively. There was a big shift – civil society is no longer seen as a threat but as bringing a complementary value to the country. We recognise their strong and significant contribution. The new spirit is that civil society and government have a constructive engagement with each other, which is governed by clear principles and rules of the game. The government values the contribution of civil society, and it conducts many consultations with civil society in all 11 regions⁷⁰ (Interviewee 1, para. 18–24).

5. RESULTS AND ANALYSIS

In the following chapter, the advantages and challenges of the cooperation between CSOs and international actors will be analysed, which now have new opportunities as the CSP2019 re-establishes the possibility for cooperation.

5.1. *Relations of CSOs and international actors in Ethiopia*

This chapter outlines the results of the field research that answer the first research question⁷¹. At first, it will focus on the advantages of cooperation and roles as perceived by both parties. They are followed by the problems and challenges that CSOs and IOs find in their partnerships and working relations in Ethiopia. In order to clarify that these experiences cannot be generalised for the whole sector, contrasting positive examples will be included in the analysis of the challenges. When applicable, the findings will be compared to results from other researches and literature.

⁶⁹ E.g. CSOs are tasked to rethink and restructure their mandates and approaches.

⁷⁰ Upon request of the participant the interview was not recorded, which is why this quote is reconstructed based on the interview protocol.

⁷¹ What are the advantages and challenges in the cooperation between international actors and Civil Society Organisations in Ethiopia?

5.1.1. Advantages of the cooperation between CSOs and international actors

During the field research, several areas were identified that were apparent advantages for CSOs to cooperate with international partners and vice versa. Some of these issues, if not handled up to the expectations, were also named as challenges. Similar to the findings from literature, as explained in Chapter 2.3.1., both groups of actors perceive their relationship mutually beneficial. Furthermore, the roles were very similarly perceived and described in the interviews as in literature⁷².

5.1.1.1. Comparative advantages and roles of CSOs

Roles of civil society organisations

An overall general opinion was that civil society can and should serve society in every aspect of life (CSO 8, para. 5, 58), even if that service does not result in an overall greater welfare effect but rather brings people who share a similar interest together (Expert 7, para. 4). Further, the interview partners collectively identified four prominent roles civil society is expected to play in Ethiopia.

The first role of civil society is to be a watchdog of the government of Ethiopia by lobbying for and reporting about whether the government is acting in the best interest of its citizens and adhering to international commitments. One could also say, civil society's role is to be a 'bridge' between society and the state (CSO 4, para. 53; IO 1, para. 14; CSO 8, para. 5; IO 6, para. 15; CSO 10, para. 17). The second role is to assist the government's efforts to provide peace, democracy, human rights, social freedoms, and other basic needs. Civil society can fill gaps that government is not always able to cover by itself (CSO 4, para. 53), such as documenting and monitoring human rights violations on all levels, or raising awareness about human rights among state actors, such as the police force (CSO 6, para. 9, 11; CSO 4, para. 53). According to Expert 5 (para. 23), this ultimately gives civil society the power to be "alternative sources of rights and sources of security", when the government, for whichever reasons, fails to meet these responsibilities (see also Expert 6, para. 35). Thirdly, many interviewees, CSO and IO representatives, agreed that the job of civil society is also to create platforms for public discussions and debates about legislation, political agendas, and public opinion in general. In this way, CSOs are to educate and empower the people with knowledge, in order for people to make informed choices and play active roles in the democratisation process of the country (CSO 3, para. 20, 28; Expert 12, para. 27; IO 1, para. 8; IO 6, para. 17; Expert 7, para. 13, 20). Several authors agreed on this role and added that civil society is not yet fully equipped to fulfil the same, as also explained in the analysis of challenges (Meffe et al. 2019:29; Salih et al. 2018:2). With regard to their political involvement, Expert 7, from the Open Society Foundation, explained that "there is a need for many effective

⁷² See chapter 2.

interventions to steer the dialogue and debate away from ethno-nationalist issues to substantive policy issues which really matter for the public” (para. 20). Expert 6, a local expert working for a Western foundation, also supported that the role of civil society was to address pressing matters of societal groups, in order to prevent conflict: “We have this ethnic tensions right now in the country. And this would not have happened if we had enough numbers of CSOs reflecting on the matters. [...] So, you know, people are frustrated. And now, you see things are getting out of hand⁷³” (Expert 6, para. 35).

Expert 7 added to the role of civil society that “the major difference between civil society and political parties are the [‘ways and means’ rather than goals]. Both are associations of citizens who want to advance what they think is a public good. The difference is that political parties want to advance that public good by holding political power. Civil society probably wants to advance a similar public good, by educating and empowering the people, creating pressure on the government, advocating for this cause and the like” (Expert 7, para. 12–13). Lastly, in light of the upcoming national elections, many saw the role of civil society in preparing, observing and monitoring the election processes (Expert 3, para. 25; Expert 12, para. 15; Expert 6, para. 31). While CSOs should engage in voter education, they have been warned against actively promoting certain ideologies or political agendas, which could be interpreted as civil society not being impartial (Expert 2, para. 37).

Currently, these roles are not fully performed by Ethiopian CSOs. Nevertheless, three main comparative advantages have been identified by the research participants.

Comparative Advantages of CSOs

Firstly, many CSO representatives and some international actors claimed that CSOs are run by highly intrinsically-motivated individuals (CSO 8, para. 78). A particular local women rights organisations, for example, was said to have much integrity as an organisation; the people who run the organisation are lawyers who stand by their promises and therefore enjoy a lot of trust from their partners (CSO 2, para. 19). Expert 6 (para. 19), who works for an international actor, confirmed this perception by claiming that they had not faced many problems with CSOs as they were run by people who were working from the ‘bottom of their hearts’ to see their projects implemented and thus showed a great work ethic. Furthermore, CSOs explained their success as possible due to very engaged volunteers who believed in the cause and worked without remuneration (CSO 2, para. 25; Expert 2, para. 49).

Building on the advantage of intrinsic motivation, it was highly appreciated that CSOs were perceived to be representing the Ethiopian people and were rooted in society. This

⁷³ This statement was given in November 2019, one year later the situation in Ethiopia has been worsened and the country seems to be on the brink of a civil war.

gives them the role of being bridges between the international actors and the local communities (CSO 3, para. 26; CSO 8, para. 5; IO 6, para. 15; IO 3, para. 33, CSO 2, para. 31). However, as 'Ethiopian identity' is a very contested and controversial issue which induces much conflict, due to the many ethnic identities, it did not become clear how these actors define themselves as 'Ethiopians'.

The third advantage is the role civil society plays in the country's democratisation and development process, which is especially important for international actors (IO 3, para. 3). Although, as will be explained in the challenges later, Ethiopian civil society might not have yet fully reached its potential due to the limitations of the previous law (IO 1, para. 8). Many international actors support CSOs as they believe that they are important for the economy, politics and society (IO 6, para. 11), as they are supposed to be free from external influences (Expert 5, para. 23) and thus can offer many angles of perspectives and generate ideas from different spheres of society (Expert 2, para. 37).

5.1.1.2. Advantages and roles of international actors

Roles of international actors

Regarding the main roles that international actors are expected to play, identified during research as well as manifested in the new civil society law, is supporting and strengthening local civil society through financial and technical support for local initiatives (FDRE 2019; Interviewee 1, para. 11). Several actors expressed the fear that the civic space could be diminished again, as they have experienced in the past. This urges the international community to capacitate and strengthen the institution-building of local CSOs, so that they can effectively play their roles, even in case of international support being restricted again (CSO 5, para. 26; Expert 2, para. 35; CSO 9, para. 23; CSO 1, para. 17, 37; CSO 4, para. 25, 55, 57; Expert 3, para. 27). Many international representatives interpreted their roles the same way (IO 1, para. 5, 14, 56; Expert 5, para. 9; Expert 7, para. 11). An international actor, who is mostly working with self-help groups in rural communities, expressed their role like this: "We always see our role just to ('flicks her fingers') start-up that glimmer, to ignite [local initiatives]" (IO 4, para. 5). One way of fulfilling the need to strengthen the sector, other than capacity training and knowledge sharing (CSO 7, para. 20), is through financial support, particularly through core funding. Although many CSOs are critical about foreign funding, it was identified as the central role of international actors, as this is still one of the only sources of income for local CSOs (CSO 3, para. 18–24; CSO 9, para. 9; IO 6, para. 15).

All interview partners were asked whether there were areas of civil society work where international actors were especially important and areas or topics in which they should better not engage in at all. Both, CSOs and internationals, started their answer by saying that generally there should not be any area of civil society work that internationals should

be exempted from, as long as it is not illegal and in support of local initiatives (Expert 6, para. 9; CSO 4, para. 33; CSO 3, para. 24; Expert 12, para. 19; IO 1, para. 12). Foremost, topics like human rights and democracy were named to be universal topics that are not limited to the Ethiopian context. Local and international actors, as well as the GoE, should have the same interest and role in establishing these basic principles in Ethiopia (CSO 5, para. 20; CSO 4, para. 33; Expert 6, para. 9; Expert 3, para. 12; CSO 9, para. 23; Expert 5, para. 3). Therefore, albeit having to handle them with care for local developments and strategies, these are topics that international agencies were asked to get involved in.

Concerning illegality, two topics were specially mentioned: LGBTQ+ rights, as well as elections. Most interviewees agreed that international actors needed to respect the Ethiopian law, which clearly states the illegality of homosexual activities (FDRE 2004). While many acknowledged for it to be a human rights issue, the way even HRDs referred to the topic, showed that they themselves were not entirely sure how to best fight for this marginalised group in Ethiopia and urged internationals, no matter how important the topic, to leave it to the local society to figure it out⁷⁴ (CSO 2, para. 15; Expert 5, para. 19; CSO 7, para. 34; CSO 8, para. 43; Expert 4, para. 60). The other mentioned topics were elections and political “interferences” (CSO 9, para. 15; IO 4, para. 11; IO 5, para. 11). The CSP2019 clearly states that foreign organisations are not allowed to engage in “lobbying for political parties, voters education or election observation”⁷⁵ (Birru 2019). However, many CSO representatives appreciated if international partners supported their involvement in such activities with financial support, but without “meddling in local

⁷⁴ Expert 4 retold an experience to explain that topic: “I teach Master students about the history of human rights. So, this year at the beginning of the course I took them to visit the Red Terror Martyr Museum. And at the beginning of the visit, I asked them, [...] is there anything special in you that would prevent you from being the perpetrators of human rights violations? And then people (negated?). So I left that, and at the end of the class, everybody said how committed they are to human rights and that kind of things. “So, this is the conclusion of the class, [...] but before I leave, let me ask you one question. Assume that you are members of parliament, members of cabinet and the legislation came which calls for the legalisation of gay marriage, would you approve or would you oppose that? For the moment, let us assume, that gay just like (human rights?), some people are born this way, so don't tell me this is a disease [...]. And don't give me the religion now, like my religion doesn't allow that, just argue in human rights, I would allow this because according to my understanding of human rights is so and so.” After about two students or so said, “Okay, I would be allowing, I would be for that kind of thing”. But the rest were really really strong in their opposition. And they all said “They will just destroy our culture, this will just destroy who we are as a country”, you know, these arguments. So, this was for me a good stage to finish the class and I said “Do you remember at the beginning of the class, is there anything special in you that would prevent you from becoming perpetrators of human rights violations? And people who violate human rights don't wake up in the morning and say, let me commit some human right violation. They feel okay, I'm threatened, my identity is threatened, my culture is threatened, I am being threatened, and therefore I should commit that.” [...] My point being, that sense of identity, that sense of who we are, what our culture is, what our identity is and how we stand in this direction with the rest of the world, etc., cannot fail but influence how those NGOs and the underlying discourse and formation of NGOs. So, if you are working on human rights issues, women issues, child rights issues and that kind of things, human rights related issues, it's not just organisation but the discourse, how that discourse is internalised. The debate within society itself. To critically examine its family head believes, taken-for-granted believes etc. And that is important. And that is one area where the relationship with donors etc. need to be defined in our own terms and what we are capable of doing” (Expert 4, para. 60).

⁷⁵ Art. (5) Notwithstanding Sub Article (4) of this Article, unless it is permitted with another law Foreign Organizations and Local Organizations which are established by foreign citizens which are residents of Ethiopia may not engage in lobbying political parties, engage in voters education or election observations. (FDRE 2009).

affairs” (CSO 1, para. 19), and if getting involved, choosing any local partners with the utmost care (CSO 10, para. 23; CSO 9, para. 17; Expert 8, para. 27; Expert 12, para. 19; CSO 3, para. 24).

Other topics that internationals were especially asked to be involved in included: improving the civic space by working with the government and observing policy-making processes⁷⁶ (CSO 3, para. 24; Interviewee 1, para. 8), good governance (CSO 3, para. 24), delivery of development services (CSO 8, para. 58), technological knowledge transfer (Expert 5, para. 23), as well as support of socio-economic rights (Expert 8, para. 19).

As for the advantages of cooperating with international partners, several factors were also identified.

Advantages of international actors

Without question, funds were the most mentioned reason by CSOs to cooperate with IOs. Given the difficult times that CSOs had to face over the past 15 years, being financially supported by international actors was called a “lifeline” and foreign actors being “saviours” to the local civil society sector (CSO 2, para. 3; IO 3, para. 3; CSO 9, para. 9). It is extremely complicated to access local funds. Thus, many CSOs mentioned, despite strict regulations, that international support was the reason they could work at all (CSO 3, para. 20).

In terms of resources, CSOs do appreciate not only financial support but also other resources that IOs were able to provide⁷⁷ (CSO 3, para. 50). The UN agency that took part in this study, for example, runs a warehouse which is stocked with emergency materials for humanitarian relief work, which their local partners can easily access and thus avoid extended times for procurement and provide relief services in a quick fashion (IO 2, para. 22–25). Another example was the plan of a group of international actors to provide a building that could house the offices of a variety of rights-oriented CSOs which would greatly improve the cooperation and mutual alignment⁷⁸ (CSO 4, para. 43). Later, this relationship will be analysed in a more critical light.

Besides support in terms of resources, several actors mentioned the vital role of international partners in sharing their know-how and giving capacity training. A local women support organisation especially valued the knowledge-input from their partners who have been working in similar contexts with success and the transfer of those experiences to local challenges. While the CSO has promising approaches to its work, the partners suggested additional ways for how to sustainably help survivors, which the

⁷⁶ Also international actors saw their role as a bridge and connector between the GoE and CS (IO 1, para. 5; IO 5, para. 11).

⁷⁷ For example office furniture.

⁷⁸ Unfortunately, this was not possible, due to the restrictions of the previous law and plans have not yet been revoked.

CSO successfully implemented⁷⁹ (CSO 7, para. 20–22). In addition, several local actors mentioned that they benefitted from the cooperation in terms of capacity. Areas like local fundraising, technological advancement and proper documentation (including transparency and accountability), were named to have been improved by the input from their international partners (CSO 8, para. 21; CSO 1, para. 23).

Last but not least, a great advantage of collaborating with international partners is to build international support networks, both with organisations in similar positions in other countries as well as with more powerful organisations on the international level. Human rights organisations in particular seemed to utilise these horizontal and vertical relationships for non-material support, such as knowledge exchange, rather than for funds or material resources (CSO 1, para. 35; CSO 6, para. 22–23). CSO 5, a journalist and long-term HRD summarised this connection: “I want to believe that the civil society community, whether international or local, has the same problems, globally. [...] So previously, and when the law did not allow us to organise a civil society, it was the international community that was working on behalf of us” (CSO 5, para. 20). CSO 6 gave a similar example, where he said that international actors gave them the necessary back-up to investigate human rights violations, for which, without powerful partners, they could have been prosecuted (CSO 6, para. 23).

After defining the roles and advantages as seen in Ethiopia, the following section will show the perceived challenges of their cooperation.

5.1.2. Challenges of the cooperation between CSOs and international actors

Many issues raised during the interviews are well intertwined and related to each other. This chapter aims at presenting a comprehensive overview of the main challenges that are affecting the cooperation. In the following chapter, a qualitative content analysis will give an overview of the challenges perceived in both groups of actors, civil society and international actors. The challenges were divided into the following six areas:

1. Roles and mandates
2. Dependencies and power relations
3. Resources and funds
4. Working procedures and requirements
5. Capacities and skills
6. Human resources and staff members

Overall, it was observed that most interview partners explained general problems that they perceived in the sector as a whole, but were not always their own experiences. While demonstrating challenges, often times they also gave a positive counter-example,

⁷⁹ The CSO mentioned therapeutic activities for the women in the shelter houses, such as dancing, arts and self-defence, which were not part of the initial approach, but showed great effects for the self-confidence and for coping with their trauma.

related to their personal experiences. Therefore, while analysing their views, both perspectives will be considered in the following chapter.

5.1.2.1. Roles and mandates

Being a dedicated agent of change

Despite the explanation about the roles above, two interviewees mentioned that the definition of civil society was not clear among CSOs themselves and that the term needed to be broadened so that it included actors that were not yet considered as civil society, as they did not currently have or were not able to officially register with the Agency⁸⁰ (Expert 3, para. 31; Expert 7, para. 26). The results of the DefendDefenders report also showed a lack of knowledge about CSOs in other regions of Ethiopia or in other societal groups, which makes cooperation even harder and redefinition of civil society even more urgent (Meffe et al. 2019:33).

In addition to the definitions, many interview partners expressed their worries that not all local CSOs represent their mandates with enough intrinsic motivation⁸¹. This could be due to the history and therefore, the strong suppression of the sector. Expert 4 and Expert 2, both human rights lawyers and local civil society experts, explained that many CSOs did not have a long-term agenda, but rather just followed international donors' calls. It is assumed that many believed that these had to be essential issues if money was made available for them (Expert 4, para. 9; Expert 2, para. 19, 35). As Expert 5, a local expert consulting an international NGO, explained, this could be due to a long-lasting culture of "in-activism" where individuals and ultimately CSOs had to self-censor themselves in the restrictive political environment (Expert 5, para. 7). Some would even say, due to the lack of activism it was even possible for the government to shut down the civil society sector to such extent in 2009 (Expert 5, para. 11, see also Gebre 2016:21). Thus, open activism, like protests, are not really part of the Ethiopian culture anymore and for a long time CSOs were afraid of openly addressing issues (CSO 5, para. 50; anonymous). Expert 7, an expert and long-term member of civil society, also explained that the civic space was never really defined or claimed by civil society to be a space of political and rights advocacy. He said that many CSOs instead saw their role in service delivery than in advocacy (Expert 7, para. 12). Since the new law, though, it was observed that more and more CSOs, even service-delivering CSOs have now started to include rights issues into their mandates. Additionally, also in the society itself, this culture of political activism seems to currently be returning to the public domain since the change of government in 2018. Many protests, including violent ones, have broken out

⁸⁰ Such as traditional self-help groups, individual activists, etc.

⁸¹ As this contrasts the statements about the comparative advantages above, it can be assumed that the civil society sector is composed of both, intrinsically and not intrinsically motivated actors.

over various political claims (Zelalem 2020). With the new government in place, the initiative for a new CSO law came from within the civil society community, which shows their changing attitude and courage for open advocacy (Expert 7, para. 3–9; CSO 6, para. 13; CSO 10, para. 5). Nevertheless, as seen in the interviews, several actors perceived the local CSO community as still not sure of their mandates and long-term goals (CSO 9, para. 23; CSO 4, para. 25). “It has been nearly a decade since the law [CSP2009] was passed, so quite many of civil society, especially the rights organisations, have lost the momentum of activism” (Expert 5, para. 7), which makes it difficult for international partners to know with whom to work and what local agendas to support and forces CSOs to re-evaluate their roles in society.

Lack of constituencies

Several interview partners related this “in-activism” and lack of own agenda to CSOs not being rooted in society and not representing a defined constituency, which should be part of the set-up of civil society (Expert 2, para. 19; Expert 4, para. 9). One donor-group representative talked about their local partners' difficulties to define their constituencies or to understand what was meant by the term. She added that “if they don't identify that group, they won't work with that group” (IO 5, para. 17). As explained above, being rooted in society is one of the main comparative advantages of local CSOs. It is supposed to make them bridges between the government, international supporters and the local beneficiaries, but not all CSOs seem to follow that note. In literature, this dynamic is also called ‘isomorphism’, where organisations follow the structural set-ups of larger and mostly Western entities in order to become more competitive in the funding market and to be able to cooperate with larger IOs, to the detriment of being less rooted in society (Dupuy et al. 2015:427). Despite fewer connections to beneficiaries before, especially in 2009, the CSP2009 forced many CSOs to change their tactics away from representing the demand of their constituencies (Expert 4, para. 9). Expert 2 figuratively explained “Most of the industry, [...] went from human rights to ‘digging wells’. And that is a problem that comes out of them being inorganic” (Expert 2, para. 19). Interestingly, in 2009, although some were expecting that the constituencies would step forward and protest against the harsh rule against the CSOs, nobody seemed to step in openly. The society seemed to support the steps of the government instead⁸². This was possible because the government had run a campaign to discredit civil society (with claims of corruptness and fraud), which turned public support against them (IO 5, para. 17). The same reasoning was found during Dupuy et al.'s research in 2015 (2015:425, 442) and

⁸² Dupuy et al. (2015:441) underlined this by explaining that the “the rights-based approach [to development] was not well known among the [Ethiopian] public. In the past, civil society organisations were engaged in service delivery, and only more recently have they combined rights, advocacy, and service delivery. The public and NGO beneficiaries are not upset about the removal of the rights-based approach, since they don't really know what it means”.

in Birru's article (2019) who related the lack of protection against public defamation to decreased mass support.

Part of representing a group of society is also the set-up of the staff of an organisation. Several interview partners mentioned that the type of people being employed by some of the CSOs, who mostly "aren't what you call real human rights activists, are just 'doers', 'NGO-people'" (anonymous). Most are middle-class, well-educated individuals from the urban centres, who were not part of any organic mass-protest or other social movements (anonymous). The Ethiopian society does also not have a strong culture of volunteerism, especially for human rights-related issues⁸³. This made CSOs even more dependent on paid employees who might not do the work with intrinsic motivation, but rather see it as a regular job. In turn, not having volunteers at hand, made CSOs even more dependent on donations from international organisations and hence less rooted in society (CSO 1, para. 29). As shown above⁸⁴ and below⁸⁵ this notion does not apply for the whole sector, as many interview partners also mentioned the high intrinsic motivation of CSO founders and their members.

'Wait and See Deadlock'

During the interviews, several actors stressed the need for CSOs to redefine themselves, their roles, mandates, structures and constituencies. With the new CSO law, this was the time and opportunity for it (CSO 1, para. 17). They observed that many CSOs were hesitant to change their status quo and maybe even scared to start voicing out for change because they were not yet adjusted to the new environment (Expert 7, para. 11, 26). Some were even scrutinised by fellow CSO workers for publicly criticising the government and one participant's answer to that was: "There is no need to please the government [...], our job is not pleasing anyone. We have principles, and we have to always be partisan to those principles. No-one else" (CSO 5, para. 50). However, it was observed that many NGOs and CSOs already included rights-issues in their objectives when they re-registered with the Agency. Including rights is seen as a more holistic approach to a variety of development issues (IO 4, para. 17). On the other hand, some international actors also seemed hesitant to start new initiatives. They were either waiting for their local partners to ask for involvement or for policy changes within their institutions, which had to adapt to the new situation first. Thus, during the time of the research, it seemed like a deadlock situation in which neither party dared to act first (Expert 5, para. 7; Expert 7, para. 26; Expert 2, para. 25; CSO 8, para. 78).

⁸³ More volunteerism can be observed in religious settings or social grassroots movements. Dupuy et al. (2015:441) reported that many were afraid of volunteering for rights organisations or being associated to them, because of the arbitrary alienation.

⁸⁴ See chapter 5.1.1.

⁸⁵ See chapter 5.2.2.

Dilemma of supporting GoE and civil society simultaneously

When it comes to the side of international organisations and donors, some CSO representatives expressed their concerns about international actors seemingly not wanting to support CSOs while also supporting the GoE and vice versa. They argued that it is not a contradiction to support both and that it is only a matter of clearly defining their mandates and roles with each partner. CSO 10 explained that working with the government and with civil society is like ‘supporting two sides of a medal’ as a problem, like conflict resolution, can hardly be solved by only one actor alone (CSO 10, para. 19). Some actors, like the EU, have already realised that this two-folded approach could be very beneficial to create a more enabling environment for civil society. They, therefore, also have components that concentrate on cooperating with and empowering government actors (IO 1, para. 5; IO 4, para. 42; CSO 3, para. 20).

True intentions of international actors in question

A concern that was also addressed is whether international actors truly intended to leave Ethiopia in the future or whether the development cooperation was simply a job creation measure for development workers that would lose their jobs if their organisation’s support ended. This could mean that international actors would not genuinely try to capacitate local CSOs to become strong independent actors, but rather utilise them as sub-contractors for their projects in order to stay relevant themselves (IO 4, para. 32; CSO 8, para. 45). Employing international NGOs or Western private contractors instead of or in addition to local partners could also be part of that approach. Consequently, the role of international actors is to support local initiatives, as defined by the CSO law, would be fulfilled on the surface, but not to the extent where true independence and genuine partnerships could be reached. The previous administration has also criticised this, which led to the restrictive CSO law in 2009 (Expert 5, para. 21). Already the former Prime Minister⁸⁶, Meles Zenawi, was cited with this statement: “The government expects them to partner with local grassroots organisations to develop local capacity. They have to understand they are here to work themselves out a job someday. They must have an exit strategy” (Clark 2000:8), which also shows the previous government’s scepticism towards the intentions of international actors.

5.1.2.2. Dependencies and power relations

Bilateral relations with the Government of Ethiopia

A major concern that the interview partners raised was that several CSOs were affiliated with the government (Expert 12, para. 19). This could be the case due to a number of factors. Firstly, one can find former members of the EPRDF or the government body in pivotal positions in the civil society sector. Either they have changed the profession

⁸⁶ From May 1988 – August 2012.

themselves or were recruited during the CSP2009 phase when bringing in familiar faces used to be a survival strategy for CSOs who wanted to appease the government (Expert 12, para. 23; anonymous). During the previous law, this was also a preferred path for international organisations to invest in these ‘affiliated’ CSOs as they enjoyed more trust and less scrutiny from the government (anonymous). However, it can now be difficult to identify truly independent local actors (Expert 3, para. 33). The civil society sector itself might be suspecting their own colleagues to be ‘agents’ of the government and might therefore not cooperate and trust in each other’s work and autonomy. In concrete situations, like election observations, for fear of the government’s punishment and the wish to “appease the incumbent” has led civil society representatives to tone down their critique, which has led to falsely reported democratic processes⁸⁷ (CSO 5, para. 22, 38, 50). One expert on the topic speculated that although the affiliations were still clearly visible; those CSOs were probably “biding their time and seeing where things are going”, as the enactment of the new law was still recent. Thus, nobody could say whether being fully independent would indeed no longer bring any disadvantages (Expert 2, para. 25). Members of the EU CSF III TAU also explained that due to fear of and intimidation by the government, certain funds were not accessed by CSOs, as they were supporting sensitive issues which the GoE would not have approved (IO 1, para. 16). On the other hand, it was also reported that in the past, CSOs used donor funds to advocate for topics that were not agreed on in the partnership. Hence, this has also discredited the donor organisations in the eyes of the GoE (IO 5, para. 31).

Another area that CSOs might not be completely independent of are ethnic ties. Ethiopia, an ethnic federalist state, has seen many difficulties between the different ethnic groups, leading to violent clashes and animosities among different groups. As ethnic groups have been politicised and most political parties and their promises revolve around identity, the interview partners expressed that it is not far-fetched to believe that parts of civil society are also ethnised. This could become problematic as it is a highly sensitive and tense area of involvement (Expert 2, para. 37; Expert 8, para. 27). One international representative explained that in some regions it was hard to work with CSOs because they would treat the beneficiaries differently based on their ethnic ascription or because local authorities were pressuring them to favour particular groups over others, which undoubtedly contradicts the impartiality principles of the international organisation (IO 2, para. 37–39).

Similarly, international actors are not able to act independently of their diplomatic relations with the government. In literature, the relationship between international entities and the GoE is explained as international entities supporting a developmental state

⁸⁷ This example comes from the Sidama referendum 2019.

without condemning its human rights violations. They are said to rather focus on Ethiopia's stability and role in the region, as well as its depoliticised approach to development, instead of criticising the human rights violations (Brown and Fisher 2020; Dupuy et al. 2015:444; see also CSO 5, para. 22, 24; CSO 6, para. 40). There is no question that in order to operate in Ethiopia, international actors need to seek permission from the government. Thus, during the CSP2009 several actors were asked to leave the country or change their areas of involvement (Abbink and Hagmann 2013; see also CSO 6, para. 41). This means that international entities are careful about how they operate, which could be due to possible government reactions. Research found out that the amount of international support had doubled in the period from 2008 to 2015, but mostly for service-delivery CSOs, and thus not for human rights CSOs (CSO 3 2015:22). This demonstrates that international entities need the government's approval and that there are risks associated with disagreeing.

Nevertheless, in the face of the reactions by the government in the past and its fear against international influences and conditionality, it was observed that many international actors either ceased to work in cooperation with local CSOs (CSO 8, para. 62) or only started to engage in Ethiopia again since the new CSP2019 was introduced (CSO 6, para. 41). Therefore, they cannot support civil society agendas if that would mean risking their diplomatic relations with the government.

However, Expert 8 believed that many international actors are too optimistic about the new administration and do not see that the democratisation process has yet to trickle down to all levels (Expert 8, para. 15–17). Two representatives of international entities explained their relationship with the government to be open and straight-forward and always within the boundaries of the law, which created a high level of trust and, thus, high flexibility to navigate their involvement (Expert 6, para. 7; IO 4, para. 42). A similar warning was given in the research results of Meffe et al. (2019:17–18).

Dependencies on international actors and donors

Donor dependency is a topic that is discussed in many aid chain and development contexts (see Wallace et al. 2006). In Ethiopia, this problem is experienced by CSO representatives as well (CSO 6, para. 31; CSO 10, para. 13; CSO 9, para. 21). In 2009 this was also a prime argument of the government for introducing the CSP2009, arguing that if rights and advocacy organisations could not get international funds, they would also become free of external influences⁸⁸ (CSO 1, para. 29). This means that the government would have more control over human rights and advocacy narratives, as well as over international agendas. Having become weak over the past ten years of fierce

⁸⁸ As explained above, this was a true argument, but most probably not the main reason for the closing of the space, which was rather to increase control and power.

regulations, one interviewee expressed the strong need to welcome any donor and to be open to all kinds of funds as the options were limited, so being selective was not an option (CSO 3, para. 18). In addition to the draconian law, local fundraising is extremely difficult⁸⁹ because volunteerism and donations from local funds do not seem to be part of Ethiopia's culture⁹⁰. This is why CSOs are even more dependent on international support (CSO 2, para. 11; CSO 1, para. 29; CSO 9, para. 9; Expert 3, para. 19). This so-called 'dependency syndrome' creates a shift in accountability from the beneficiaries to the donors (Expert 4, para. 51; Expert 8, para. 61). CSO's agendas are distorted by this upward mobility as it affects the quality of the implemented activities, which have to be designed according to the donor's demands, as well as administrative efforts, which must be redirected to searching and applying for funds (CSO 4, para. 25–27; CSO 5, para. 30; IO 5, para. 17).

CSO 9, head of a local CSO, summarised these dynamics like this: "In relation to our vision, mission and objectives, generating resources from local sources is a priority for our existence and sustainability. But in reality this is not happening. So you are forced or obliged to look for international donors, even for your existence. [...] The majority of us are forced to rely on international calls or funds. This is not a healthy growth. It even has an impact on [CSO's] approach and implementation" (CSO 9, para. 9). Another interviewee added that "you can't help to be influenced by your donors. If not you, then somebody else will, and they will have better opportunities than you", which demonstrates the dilemma CSOs face — having to choose between being able to act under conditions or not at all (Expert 4, para. 24). During the interview with a representative of the Agency, this concern was also raised with an emphasis that CSOs should be entirely independent and should be influenced by neither international nor local actors (Interviewee 1, para. 32). On another level, being dependent on international support might create suspicious sentiments among civil society actors and the general public regarding the motivation and affiliations of CSOs (Clark 2000:14).

In addition, international organisations often get their funds from other sources and, therefore, are accountable to them in the same way local CSOs are to their donors. In many cases, international actors receive money from their governments, meaning, from taxpayers in their home country (CSO 6, para. 39). This means that international organisations' flexibility for the use of funds is often constrained by their accountability to home governments (IO 5, para. 23; IO 6, para. 15). IO 5 Desta, a representative of an international pooled fund, tried to summarise their dilemma in the following way: "This is a donor-funded programme, and the donors bring the money from their taxpayers, so

⁸⁹ Dupuy et al. (2015:443) explained that traditionally more donations are given for religious charities than modern NGOs.

⁹⁰ Which seems true in most cases, while other interviewed CSOs stressed the high support from volunteers.

there is huge accountability on it. [...] There are really strong, stringent financial procedures that we follow to ensure that accountability is properly discharged” (IO 5, para. 7). The EU CSF III TAU team’s statement adds to this: “So some of the CSOs consider it as imposing of the requirements of reporting and financial management aspects. But that, unfortunately, is what international partners need to impose since they also have their own governance mechanisms that require them to report to their taxpayers” (IO 1, para. 33). IO 5 understood, however, the need to set conducive conditions for their local partners: “The donors will always be unhappy because there is this fraud report or this financial management, which is not following this procurement rule. And CSOs are saying that you are so strict and not welcoming CSOs. [...] I understand that. But for us, it’s not easy to maintain that balance”⁹¹ (IO 5, para. 25). International non-governmental organisations are also often constrained by adherence to strategies and agendas from headquarters. Therefore, they might also not have the flexibility to decide in which areas they can engage and in what way, even if the country context presents another reality (CSO 6, para. 30). The general flexibility of the programmes was also mentioned on various occasions. Many international actors have particular thematic focusses or, for instance, a ‘five-year plan’, which is not easily adjusted even if the local circumstances demand another approach or change of topic⁹² (IO 1, para. 41; CSO 6, para. 39).

Agenda-setting

Another critical and related dependency is that of agenda-setting. It is recognised that international actors, embassies, development agencies and international NGOs always have their own entrenched priorities on which they try to focus (Expert 3, para. 11). However, in the post-colonial development sphere, it is generally agreed that agenda-setting from external to local partners constitutes an imbalance of powers. CSO 8, from an Ethiopian Consortium, explained it as something normal that local CSOs should acknowledge: “The politics in the world is ‘give and take’. When they give you something, they expect something. So it is known and it is [accepted]. But within that you have to use your bargaining power to serve your society” (CSO 8, para. 45; see also Expert 2, para. 9; IO 6, para. 15). In many cases, consultative programme design processes are in place, but several CSO representatives have expressed that their recommendations and needs are, nevertheless, not translated into real projects and that international partners still operate from templates (CSO 1, para. 37; Expert 8, para. 27). According to this research, it still happens that international partners push their own agendas or

⁹¹ Here, an example was given, that strict procurement rules are not always feasible in the Ethiopian market and international partners needed to consider the local context before imposing requirements (CSO 1, para. 25).

⁹² For example, when the new CSO law was introduced, many IOs could not just switch from development service delivery to human rights support, because of their 5-year plans.

include certain preconditions for granting any funding (CSO 10, para. 13). As seen above already, one prominent example in Ethiopia, is the topic of homosexuality and LGBTQ+ rights. Interviewees have mentioned the high sensitivity of this topic which has the potential to stir strong public and political resistance or even legal punishments for open supporters. At this stage, public resistance would be counterproductive for civil society and could possibly even diminish recent successes in human rights protection (CSO 7, para. 34; CSO 8, para. 43; CSO 2, para. 15; Expert 5, para. 19). Therefore, most local actors⁹³ have warned against internationals wanting to tackle these issues in an open manner. As it would be an externally pressured agenda and not from within the society, which means the society would not be ready for it yet.⁹⁴ In the report of Meffe et al. (2019:11, 27, 28), the issue of this group was also addressed with great concern and with similar explanations by their research participants.

Another topic that was controversially discussed was the fact that international partners want to implement agendas by different approaches than how local CSOs would address the same. In these cases, the solution would be a matter of discussions and compromises, which does not always appear to happen on 'eye-level' as equal partners (Expert 3, para. 9; CSO 1, para. 14–15). One interviewee brought it to the point: "Unless you have money, you can't decide by yourself" (CSO 6, para. 31). However, some interviewees also stressed that despite international actors having their own aims and objectives those were mostly rather broad concepts in which CSOs could easily fit their own specific agendas and project proposals, which is seen as a reasonable basis for cooperation (Expert 6, para. 3; CSO 1, para. 15; Expert 5, para. 15).

However, it was also stressed that without external influences, Ethiopia would not be at the position where it is now with respect to human rights which could be considered a positive influence. Expert 2, however, as mentioned in the chapter about mandates, expressed his frustration that most human rights initiatives in the country were donor-driven and therefore "inorganic and artificial" (Expert 2, para. 17). According to him, when international actors came with funding for rights-based approaches, local CSOs were simply changing their agendas to fit the calls for proposals, without being intrinsically motivated human rights defenders. This becomes problematic if CSOs are perceived as not being the spokespersons of the Ethiopian people, but of (mostly Western) international principles. Undoubtedly, this topic could fill a full thesis as it is an intertwined

⁹³ It is important to note that this research did not include interview partners which openly represent the LGBTQ+ community, which is why their opinions could not be included in these results. Without doubt, if there are local activists or persecutions of LGBTQ+ members, international actors should offer their support and advocacy reach (author's opinion). However, the statements by the interview partners can be rather seen as a warning that the LGBTQ+ topic should not be made an unnegotiable precondition for all kind of human rights support.

⁹⁴ Another example of pushing an agenda, is the American Gag rule, where partners of American institutions are not allowed to advocate for or inform about safe abortions, which goes against several human rights standards and cannot be accepted by Ethiopian human right defenders (CSO 9, para. 13).

power play with various layers and players embedded in colonial history, which is why it would exceed this paper's scope.

Incomplete needs assessment

Many CSO representatives mentioned that they have been approached for their opinions by international actors conducting needs assessments, but that ultimately the international agencies did not listen to their advice. They complained that international actors only conducted consultations with locals in order to meet their organisational programming requirements (i.e. participatory approaches), but inevitably, they already have an agenda with funding designated for a certain issue for which they need to implement projects (Expert 8, para. 27; CSO 6, para. 37). This problem also includes the lack of contextualisation of projects in the needs of the society (CSO 6, para. 38). Consecutively, this also forces CSOs to adopt issues for which there is funding. This can also result in a shortage of funds for highly prioritised local agendas. As mentioned above, international actors often rather want their own priorities to be worked on. One example of such a situation was the lack of funding of observers during the Sidama referendum⁹⁵. It did not seem to be a priority to donors but to local CSOs, who wanted to use this voting process as an opportunity to exercise their right as 'free' CSOs to observe a 'democratic' voting procedure (CSO 5, para. 48; CSO 10, para. 19).

That said, the majority of the interviewees from the international sector stressed that their approach is genuinely meaning to involve civil society in their country assessments, project planning and strategic development (IO 3, para. 39; IO 6, para. 15; Expert 5, para. 29; IO 1, para. 51) or to ask for and allow feedback during the cooperation (Expert 9, para. 45; IO 3, para. 41). Also, some CSOs acknowledged that some of their international partners have actually engaged in serious consultations with them (CSO 6, para. 29, 38; CSO 5, para. 16). As can be seen, there are different perceptions of how genuinely international actors incorporate the feedback that they ask for from civil society.

Hierarchies and power relations

The challenges mentioned above are mostly due to underlying power dynamics. Some interview partners explained that there seems to be an implicit narrative which positions "international" or "donor" as superior or higher ranking in hierarchy (Expert 8, para. 54; IO 1, para. 50). As shown by the research results, CSO representatives have noticed several top-down approaches instead of real partnerships. This is called the 'traditional donor approach' where the one 'with money' demands what needs to be done and treats so-called partners merely as service-deliverers (Expert 5, para. 15). One example of this hierarchical relationship is the drafting of a contract — the terms of which are usually set

⁹⁵ The Sidama referendum on the creation of the Sidama Region took place on 20.11.2019.

by the international partner. However, a representative from an international organisation tried to explain that while the international partner sets the legal parts of the contract, the local CSO adds the annexes to the contract⁹⁶, which is then considered a collaborative contract (IO 1, para. 49). This description of hierarchical power relations is in accordance with the findings of Dupuy et al. (2015:442). Despite this critique and perception by local CSOs, it is interesting to observe that most of the representatives of international actors explained their desire to act as equal partners to the local CSOs and to give them all the freedom needed in a partnership (Expert 9, para. 45; IO 4, para. 3, 25; Expert 5, para. 15, 17; IO 1, para. 50). The author of this thesis comes to the conclusion that this topic contains controversial but valid opinions on both sides of the cooperation, and varies from actor to actor.

5.1.2.3. *Resources and funds*

Project funding versus core funding

All CSO interviewees agreed that securing sustainable financial resources is a major challenge for several reasons (Expert 9, para. 31; CSO 3, para. 22; CSO 5, para. 14). One reason that was most frequently mentioned is the practice by donors and partners to give project funding rather than core funding (CSO 5, para. 30; CSO 2, para. 7). An international CSO representative mentioned: “Actually, it’s really challenging, because donors like to earmark each and every money to projects” (IO 4, para. 32). Considering that many CSOs are either extremely weakened by the effects of the previous law or are now newly emerging and therefore having to (re-)build themselves, core funding is a requirement for institution building and sustainability (Expert 3, para. 9; IO 5, para. 17). Core funding can enable capacity building, such as employment of non-project related staff, which are in turn needed to apply for funding and run the organisation in an accountable manner. At the same time, others can fully concentrate on implementing programmes (Expert 3, para. 17). In contrast, some IO representatives explained that they, too, were often dependent on project funds. Thus, they do not have an option to give core funding to their local partners either (Expert 9, para. 37; IO 5, para. 17; IO 4, para. 30). Besides, fund releasing processes in big institutions are often lengthy. Hence, being the bridge, some international organisations even need to make payments to their local partners in advance, before the instalment payments from their donors arrive (anonymous). In return, many IOs expect their local partners to also be liquid besides their funds and to be ready to go into financial advance during the project phase (Expert 9, para. 15).

While criticising the lack of core funding, a few international actors have put a stronger focus on providing core funding. In some cases, they are able to combine it with project

⁹⁶ I.e. the project proposal, the log frame and the budget.

funding, which, according to local CSOs, is a more appreciated arrangement (Expert 3, para. 11; IO 4, para. 31–32). A member of a Scandinavian agency said that they would not have the human capacity to follow up on small amounts of project funds. Thus, they preferred to grant core funding to allow more flexibility on both sides (IO 3, para. 19). In addition, the respondents mentioned the need for longer-term financing as it is difficult to plan, and build institutional capacity with short-term, low-amount, project-based funds (CSO 2, para. 7). As well, longer-term financing allows CSOs to work on issues, such as social change, for which reaching goals takes a more extended period of time (Expert 4, para. 50). These findings echo the results of Clark (2000:14) and CSO 3 (2015:22), who already described the same challenges of the importance and lack of core funding and institution building in 2000 and 2015.

Partnering with INGOs instead of local CSOs

Competition is another reason for the shortage of resources for CSOs. International NGOs and private contractors apply for the same funds as local CSO and are often preferred over local partners (Expert 5, para. 21). Due to this preference, international NGOs or contractors are often selected and then used to act as intermediaries between donors and local CSOs, who then only receive a fraction of those funds (Expert 7, para. 14). These sub-contracting arrangements induce high administrative costs and the need for much coordination efforts. This competitive nature of the sector was also described by Clark (2000:14).

Because international actors are also accountable to their sources of funds, as mentioned above, it was stressed that they, too, need to spend their funds responsibly to ensure accountability in all directions⁹⁷. Due to assumptions made about the quality of work and personnel of CSOs, it seemed that international actors rather preferred to work with international contractors than with local CSOs. By this, they mean to ensure a smooth cooperation and a high level of capacity and experience (Expert 5, para. 21; CSO 9, para. 11; Expert 7, para. 14). However, while CSO 3 (2015:22–23) stressed the same problematic arrangements, he also mentioned that working with foreign private contractors was also used as a strategy by international actors in order to circumvent the CSP2009 law as this strategy was not considered by the government as giving support to local civil society. That way, international actors were able to continue their programmes, without having to partner with Ethiopian CSOs.

Lack of alternatives to international funds

⁹⁷ One example of responsibly spending money was also that some IOs planned to implement projects but did not do proper context assessments, which has led to lacking security arrangements for the staff members. This made them incapable to work in the designated regions and they had to stay in their offices, unable to work effectively and thus the funds were not applied efficiently (CSO 6, para. 37 - 41).

Additionally, the practice of pooling funds under a multi-donor approach, despite its obvious advantages⁹⁸, was criticised for limiting the options for cooperation. For example, pooled-funding results in a narrower thematic scope for local and international actors which diminishes the ability of CSOs to engage in smaller or niche issues and the thematic areas that could be tackled by a variety of local and international actors. This also reduces individual negotiation and learning opportunities for smaller CSOs (CSO 8, para. 39). CSO 4 added that pooled funding compromised the flexibility individual donors have in bilateral partnerships because of the bureaucratic requirements of big pooled funding arrangements (CSO 4, para. 17; CSO 8, para. 73). Literature supports this complicated trade-off between coordinated funds and individual support arrangements. Instead of “nurturing CSOs at different levels with diverse agendas, including particular interest groups, harmonisation and alignment can reduce diversity and possibilities for risk and innovation” (Griffin and Judge 2010:14–15).

Another factor, as mentioned above, is that local funds are mostly unavailable, particularly for human rights-related work. This means that CSOs do not have many alternatives to international support (IO 3, para. 35; CSO 9, para. 9; IO 5, para. 23). Furthermore, under the CSP2009, other income-generating activities (IGA) were prohibited or required special permissions by the Agency. Hence, most CSOs have not yet explored this financing option (CSO 6, para. 31). The UPR Submission by the Human Rights Council (HRCO) in 2009 predicted these difficulties of CSOs being able to sustain themselves after the closure of the civic space (HRCO 2009). Griffin and Judge (2010:2–3) confirmed them as well.

Lack of funds results in a lack of human resources

One area of work that is most affected by the lack of funds is human resources. Mostly rights-oriented CSOs complained about not having enough funds to employ qualified and trained staff or rent adequate office spaces. This means that members often work on a voluntary basis, and remotely, instead of in offices (CSO 6, para. 30; CSO 2, para. 5; CSO 5, para. 20). The DefendDefenders report discovered similar relations between funding arrangements and human resources (Meffe et al. 2019:30). One solution to this provided by the African Civic Leadership Program was to open a co-working space for CSOs, called the Civil Society Resource Center, in Addis Abeba (Expert 8, para. 67). One can also conclude that low salaries and short-term project funds generate a high staff turnover and make it difficult to retain trained employees (CSO 6, para. 31; CSO 2, para. 7).

⁹⁸ Although it also has its advantages: less administrative work for both, local and international actors; better overview about the available options, less negotiations, applications, reporting etc.

5.1.2.4. *Working procedures and requirements*

Lack of sector alignment

During the research phase, several features of the work mentality and working style of CSOs were criticised. One issue discussed was collaboration within civil society itself. In many cases, efforts are duplicated without the attempt of alignment (CSO 4, para. 7; Expert 3, para. 29). This is in line with the findings of Meffe et al. (2019:33) and Gebre (2016:21), who also discovered the need for more cooperation, especially among HRDs, in order to become more effective in their work. In the Ethiopian context, CSO 9 observed that civil society is often not speaking with one voice and that especially advocacy issues were not tackled cooperatively (CSO 9, para. 23). Already in 2015, this issue was being explored in a report from Save the Children (CSO 3 2015:21) and by Clark (2000:14), both of which observed a competitive environment among CSOs with less effort to network and partner.

Lack of accountability, transparency and adherence to civil society principles

According to CSO 4, director of a local CSO, a further factor that has an impact on effectiveness is that “most members of CSOs still don’t give particular emphasis to the issues of accountability and transparency”. He added that many did not adhere to their institutional purposes and check whether activities fit their mandate (CSO 4, para. 25, 27). In this context, an IO representative also observed that often assumed norms, such as impartiality or neutrality, were not always understood in the same way by Ethiopian CSOs as by the international actors, which has made cooperation difficult (IO 2, para. 42–43).

When it comes to the topic of improper behaviour of civil society actors, two sides were portrayed. The previous government portrayed the whole civil society community as fraudulent and corrupt (Expert 12, para. 42–43), and depicted any critical actor as a political opponent (CSO 5, para. 55–60). It was explained that “the image of the sector was specially created in the past ten years, consciously, deliberately by the Agency and by the media. No CSO staff is proud to be CSO staff. Because you are a thief for the community” (anonymous). This means that the public perception of CSOs was strongly tarnished. These developments were also described by Dupuy et al. (2015:442–43). While the restrictions of the previous law had the effect that many ‘briefcase’ CSOs were identified and shut down (Expert 6, para. 31), some interviewees still believed that “more than 50 per cent of the civil society actors are actually there for the money” (CSO 5, para. 55 – 60; CSO 4, para. 64). This is a difficult figure to estimate accurately but shows that the perception that it is a problem still exists⁹⁹.

⁹⁹ Both, the problem of fraudsters in the industry and the societal image of the sector.

A problem that arises through having to deal with the requirements of several donors is that multiple reports need to be written about the same activities, according to the individual contracts of the donors. In some cases, it was reported that it could open possibilities for fraud, incorrect reporting, as well as duplications (Expert 4, para. 51). Besides this, an IO representative mentioned that some CSO partners did not honour their contractual obligations, but rather used the money for other purposes (whether for personal gain or other projects) (IO 1, para. 45). It is beyond the scope of this paper to assess whether this is typical in the case of Ethiopian civil society, but it is still a concern expressed by both groups of the sector that should not be disregarded.

Requirements of donors

Donor requirements were a frequent topic when CSO actors were asked about the challenges in their relationship. Two issues stood out, which the majority of interview partners mentioned: application procedures and requirements, and reporting standards.

Often times, the whole procedure to apply for calls for proposals seems to be very complicated and overly technical. Some CSOs expressed their frustration that they were not sure if these calls were supposed to be answered by local CSOs at all and that no assistance, even from designated assistance units, was offered. Members of the EU CSF Technical Assistance Unit offered in defence that, because of the competitive nature of gaining the grant in the first place, they are incapable of supporting CSOs at the proposals stage (IO 1, para. 42). However, one CSO interview partner summarised the challenge as follows: “The procedures sometimes seem to [keep] you from applying [...]. Technically, explicitly it means you are not qualified. Even if you have smart ideas, smart objectives, and smart proposals” (CSO 10, para. 13, 17).

One requirement on which many international actors put much importance is experience and track record of working in the topic area in question (CSO 6, para. 29–30; CSO 10, para. 17). This implies a dilemma for CSOs. They cannot get experience without funding nor funding without experience. The CSO sector is still so inexperienced due to the restrictions that were in place, which necessarily means they have not had opportunities to establish credibility with international partners nor with implementing projects. International organisations look for partners with a track record of meeting their expectations, so CSO 9 asked: “Yes, those calls are supporting civil society, but which kind of civil society? Those who have capacity, not those who are very weak and who have been damaged because of the ten years of civil society law (CSP2009). It is basically avoiding them. So, it’s one step [to offer support through calls for proposals], it’s positive, but is it a real solution to those who need to be capacitated?” (CSO 9, para. 25). In addition, international organisations make funding decisions based on the amount of money an organisation has previously managed. This means that any CSOs who have not yet had

the chance to handle funds cannot prove their ability when handing in a proposal, which makes them less likely to be awarded funding (Expert 7, para. 28). A representative of an international CSO with previous experience in local CSOs understood the dilemma: “These people, they have the will and the commitment but maybe not the capacity for these really sophisticated and bureaucratic requirements” (IO 4, para. 30). Thus, it can be explained as a vicious circle in which an organisation cannot get project contracts if no records of previous experience can be produced.

Another constraint that was mentioned is the demand on reporting. Every donor requests a different standard for reporting, which has its own templates, deadlines, and technicalities (CSO 7, para. 26, 32). Expert 8, for instance, named this as “the biggest [challenge] for local human rights organisations – that they need to learn how multiple donors work and that they have to write multiple reports in multiple formats” (Expert 8, para. 61). These complicated procedures make it difficult for CSOs to focus on their actual projects and require additional qualified staff to manage all submissions on the deadlines. Additional staff is not simple to find, due to the lack of financial resources and the image of the sector (IO 3, para. 51; CSO 2, para. 19).

However, some CSOs had the experience (mostly before the 2009 law) that if the capacity and the work of the organisation was very sophisticated and demonstrated success, international actors became very accommodating and flexible in their arrangements (CSO 2, para. 7; Expert 7, para. 28; CSO 10, para. 11). Among the international actors, non-governmental organisations seem to have more latitude in terms of adapting requirements. These organisations, for example, have accommodated longer-running projects with more gradual change models that are less results-based, or supported CSOs based on personal relationships with trusted individuals despite the fact that their CSOs are still emerging organisations (Expert 7, para. 30; IO 4, para. 9). While CSOs perceive there to be strict selection requirements, at least one IO representative mentioned that they were well aware that human rights CSOs might not be able to produce audit reports from the past years and therefore, are not including certain eligibility criteria in their selection requirements (IO 3, para. 9).

The international representatives have also noticed the challenges of CSOs of meeting requirements but described this dilemma as more complex. On the one hand, they understand the need to empower and capacitate local CSOs, but at the same time, they have a responsibility to ensure projects are well managed and provide support for beneficiaries (IO 1, para. 28; Expert 9, para. 19). IO 5 showed her understanding of the CSOs’ struggles, but also expressed her exasperation: “[The partner CSOs] were harshly blaming us. And partially, I agree with them. From where they stand, they are right. It’s so full of requirements, and we asked so many things. But seeing what we are having here, the problems, the non-compliance, the financial mismanagement, everything that

we are struggling with every day, I saw the requirements not as strong as they should be” (IO 5, para. 25). A UN agency representative explained how they need to vigilantly monitor the projects that their partners implement. They are asking for regular reports¹⁰⁰ so that timely support can be provided if any difficulties arise. The interviewee was not sure if that approach was appreciated or considered an impediment by their local partners, yet still deemed it necessary for the success of the projects (Expert 9, para. 35). The issues of requirements are complicated; thus, no clear conclusion can be made as both positions, of CSOs and IOs, are valid. Possibly, one also needs to differentiate between cooperation that aims explicitly at strengthening local CSOs and others, which cooperate with already capacitated local actors intending to implement development goals. The requirement for these two different types of support ought to differ based on the targeted group of partners.

Patronising local partners

Several local actors felt that some international actors look down on them and think they know better about the context and the solutions. Expert 3 from a local human rights organisation exclaimed that ownership of agendas and processes needs to be ensured and that IOs should understand their role as supporters of local efforts, not imposing agendas (Expert 3, para. 13). Another CSO representative said that he often felt patronised and claimed that it was because of ignorance of IO workers about the knowledge of local actors. To explain, he gave this statement: “I have a first-hand experience. I live here, and I’m closely following what was happening here for a couple of decades. I may not have the English words to explain to them very clearly, but I know the context, how it works, and how it doesn’t”¹⁰¹ (CSO 5, para. 32). This could also be why local actors feel that it is inappropriate for international actors to work in local communities directly. Implementing projects without engaging local CSOs could easily create unsustainable dynamics (Expert 5, para. 21).

5.1.2.5. Capacities and skills

An issue that is often raised when talking about the cooperation between international and local in the NGO sector is capacity. In general, one can say that many actors have raised concern about a lack of capacity among CSOs in Ethiopia, which also has to do with experience (Interviewee 1, para. 30; CSO 8, para. 21; Expert 9, para. 19). Naturally, the previous ten years highly degraded CSOs’ capacity in several areas. This is especially true for former Ethiopian Charities. CSO 9 explained further that “as a result, they are not in a position where they can play the needed role. So, it should be a concern

¹⁰⁰ “On a bi-weekly basis we call, on a monthly basis we demand reports through email, on a quarterly basis we have a report and then we evaluate their performance on a bi-annual basis” (Expert 9, para. 35).

¹⁰¹ Without question, not all CSO workers, know every detail about the whole context and might have their own biases — they are often mostly members of the urban middle-class in a country with a diverse and mostly rural population.

of all of us, be it international or local, how we can really capacitate those rights-based organisations so that they can play their role” (CSO 9, para. 23). This capacity-building process and identification of the own role could take time. It cannot be expected that CSOs are ready to act just because the legal framework has been opened¹⁰² (IO 5, para. 21).

Advocacy capacity

Particularly, there is an important lack of capacity for advocacy – advocacy for human rights, political rights and social change issues (CSO 1, para. 17; Expert 5, para. 7; Expert 7, para. 11; Expert 2, para. 19). Expert 5, an expert with diverse experiences in the civil society sector, observed over the past ten years that “the trend of activism has gradually disappeared. So we have lost a generation of activism. Because people were highly threatened, they were highly scrutinised about what they write, about what they do, about what they think” (Expert 5, para. 7). This has resulted in civil society self-censoring its actions and not entirely playing its role in society (Expert 5, para. 7). Therefore, especially emerging CSOs with young, studied and motivated human rights defenders, who have not grown up in a society with open activism need training in terms of activism to fulfil their mandates. They also need to learn how the sector operates¹⁰³ (CSO 5, para. 30). The same applies to political work. As CSOs were not allowed to participate in, for example, policy advocacy or elections, over the past 15 years¹⁰⁴, nearly the whole sector needs to train itself on how to fulfil roles as civic educators and election observers¹⁰⁵ (CSO 6, para. 12; Expert 3, para. 25; IO 3, para. 42–43; IO 1, para. 14). Additionally, the DefendDefenders report mentioned that without the right training, CSO members are especially vulnerable when working in election contexts (Meffe et al. 2019:29). However, during several elections between 1991 and 2015, CSOs played an essential role in election monitoring and voter education (Birru 2019), which shows that capacity had existed before and can be rebuilt, possibly through engaging older, experienced civil society members. As national elections were postponed from May 2020 to 2021, there is hope that civil society will have had enough time to prepare themselves to play a significant role in protecting the democratic process¹⁰⁶.

Capacity to raise funds

Another area with the potential for skills-building is fundraising. The difficulty in acquiring local and international funds was explained above. Several interviewees went on to say

¹⁰² As this research was conducted in November and December 2019, the CSP2009 had only been active for around 9 months. By the time of submission of this paper, it will have been in place for almost 2 years.

¹⁰³ Including cooperation with IOs, raising funds, etc.

¹⁰⁴ The last open elections took place in in 2005.

¹⁰⁵ Of course only those CSOs that wish to participate in such activities are meant and not organisations with other mandates.

¹⁰⁶ Looking at current developments in Ethiopia, which were ignited by an unauthorised election in one of the states, it is currently unclear when and how the next national election will be able to be conducted.

that they have limited knowledge about how to diversify funding sources either from local partnerships or other income-generating activities (CSO 4, para. 55; CSO 8, para. 21). To a large extent, this is also due to the previous law which disallowed such activities. However, both, CSOs and IOs stressed the need for local civil society to diversify their sources of funding in order to be less dependent on any one source (Expert 9, para. 31).

Institutional strength

Furthermore, building the institutional strength of CSOs is also an area where there is room for improvement. Expert 3 explained that not only do emerging CSOs have to start building their capacity but because the new law has reset the entire sector, even if CSOs were successfully working before the CSP2009, it is as if they are all starting fresh (Expert 3, para. 9). Institutional instability and the perennial need to focus on finding funding has also led to less sustainable CSO activities (CSO 4, para. 25). Many CSO representatives expressed that it is difficult to conduct training or skill-building activities because it is difficult to convince international partners to invest in building institutional capacity (CSO 1, para. 17; IO 4, para. 30). This notion is supported by the findings of the Save the Children report of 2015 (CSO 3 2015:22).

However, it was explained that it is not easy for international partners to invest in capacity building, either. One reason for this is because there is weak institutional memory in local CSOs due to regular staff turnovers; any capacity training given was lost after a short time when those individuals left the organisation (IO 5, para. 17). In addition, capacity seems to be hierarchical; that is, skills that have been accumulated seem to be held at the top of organisations, by founders or heads (IO 5, para. 17), who have not institutionalised that knowledge for employees (Expert 7, para. 11). Thus, institution-building seems to constitute a vicious circle which is not easy to break for both groups of actors.

Reporting and ability to meet donor requirements

In terms of capacity, one of the biggest problems is accountability and transparency in reporting (CSO 4, para. 61, 63). Giving transparent accounts is mostly dependent on the moral integrity of the members of an organisation (CSO 5, para. 61–62). However, it also strongly depends on the available capacity to do so. Most often mishandling of financial and technical reports was not purposeful; rather, these reports were described as highly complex and difficult for CSOs, especially for those that lacked the resources to hire accountants or other specialised staff (CSO 5, para. 34; Expert 9, para. 31; IO 3, para. 33; Expert 6, para. 33; Expert 8, para. 61). Despite an adequate capacity in narrative reporting, one representative of an international agency observed that CSOs struggle to relate their activities to tangible results. She said, “[CSOs] do very good activities, but relating activities with outcomes and results is very difficult for them. Ultimately, they are

not making these relationships. [...] So there is that disconnect between their capacity of doing things but realising that those things can be results” (IO 3, para. 33).

As mentioned above, fulfilling differing reporting requirements for many different donors and partners requires human resources that are not always available (Expert 3, para. 17; IO 4, para. 30). A representative of an international organisation noticed the level of requirements also increased regularly: “Capacity building is a process, and I’m sure there has been increasing capacity [...]. But at the same time the demands of the donors also increase, and the expectations grow” (IO 1, para. 23). This is why some programmes now try to ensure that local partners are able to meet technical requirements by offering technical support (IO 1, para. 23; Expert 9, para. 43). Alternatively, depending on the goal of the cooperation¹⁰⁷, other international actors have very rigorous selection processes in which many local CSOs do not qualify (IO 2, para. 40). This results in IOs partnering with INGOs, who have more capacity at hand; therefore, local CSOs do not get opportunities to develop their skills (Expert 9, para. 17; Expert 5, para. 21). Similar findings were made by CSO 3 (2015:22) and Gebre (2016:20).

Overall, several authors point to similar areas where capacity is lagging. Broeckhoven et al. (2020) added the need for training in research and networking. Furthermore, the study by DefendDefenders (Meffe et al. 2019:30–32) focused at the needs assessment for capacity building and identified similar areas: fundraising, institutional capacity, human rights advocacy, monitoring, documenting and reporting (MDR). However, the following capacity needs were additionally presented: digital and physical security, as well as psychological support for survivors and HRDs. Interestingly, while the current research identified advocacy capacity as one of the major challenges, only 14.3 per cent of the research’s participants, saw this as a priority¹⁰⁸ (Meffe et al. 2019:30).

Lack of understanding the local context and culture

On the international organisations’ side, not many capacity short-comings were reported. Nevertheless, as previously stated, many non-Ethiopian individuals working in international agencies seem to have less understanding of the local context and for which local struggles needed to be supported (CSO 5, para. 16; CSO 6, para. 37). Part of this problem is stated to come from international agencies employing young and inexperienced ‘expatriates’ into significant management positions. Those employees might not yet understand or respect the capacity and knowledge that exists in Ethiopia,

¹⁰⁷ Whether it is supposed to support local capacities or whether it is to deliver other development services.

¹⁰⁸ That research only consulted HRDs, which stands in contrast to the research at hand, which did not only focus on HRDs, but also other actors.

and instead operate according to organisational social norms or the demands of their superiors (Expert 8, para. 27, 44).

This leads to the last set of problematic areas in the relationship, which are the human resources and staff members in CSOs and IOs.

5.1.2.6. Human resources and staff members

Many of the challenges related to human resources were already addressed in the chapters above, but in order to stress them they will be briefly revisited in this chapter.

Lack of qualified staff

Many CSOs in Ethiopia are short of qualified human resources to handle all the activities at hand, especially considering the complicated application and reporting processes of their international partners (Expert 3, para. 17). This, as well as the high staff turnover, could be results of the low amounts of financial remunerations that CSOs can offer their employees. This creates endless cycles in which, for example, CSOs apply for funds to have employees who can apply for more funds (CSO 2, para. 7). The high staff turnover was also seen as problematic because if newly trained individuals do not stay in the organisation long enough to establish institutional memory, the training would be void (IO 5, para. 17; Expert 9, para. 31). In some cases, the staff turnover is caused by international actors, who offer higher salaries and better career opportunities, poaching well-trained, local CSO staff (IO 2, para. 48–50).

One more factor which makes it difficult for CSOs to hire qualified staff is the ethnic tensions. Working on contested issues, especially in remote regions, can be dangerous for members of specific ethnic groups (IO 5, para. 25).

Inorganic, middle class, non-activist staff members

As mentioned in the mandate section, CSOs are in a dilemma between being able to hire qualified staff, such as trained accountants, and being composed of intrinsically motivated human rights defenders who might even be members of a marginalised group. Consequently, CSOs might become more effective and able to cope with donors' demands but are less rooted in society and have an inorganic set-up (Expert 2, para. 19).

Dependency on leaders

Another aspect concerning the people working in the civil society sector is that many heads or founders of organisations are those who have the most experience, capacity and intrinsic motivation. This means that these organisations are quite dependent on their leaders (Expert 6, para. 37). One interviewee explained that “the more they stay, they become protective of their organisation, which makes it difficult for professionals to contribute to that organisation, as a senior management team for example” (IO 5, para. 17). Thus, one could conclude that leadership plays a vital role for a thriving and efficient

civil society. Dupuy et al. further noticed that the civil society sector consists of only a few highly active individuals (Dupuy et al. 2015:442), which can be beneficial for networking and coordination within the sector, but is also perceived as a factor that hampers innovation, exchange of new approaches, awareness-raising and growth of supporters (Expert 3, para. 29).

Another important aspect is the fact that the civil society sector in Ethiopia is not free from rent-seekers and fraudsters or of politically affiliated individuals. Because organisations rely heavily on the capacity of the leaders, in many cases, fewer checks and balances can be conducted. This means that CSOs are more vulnerable to fraudulent behaviour. These occasional incidents should not be used to condemn the whole sector, but should be kept in mind (CSO 6, para. 39; Expert 12, para. 23).

Contested choices of employees of international actors

Similarly, the composition of people working for international agencies also brings challenges to the cooperation between CSOs and IOs. As explained above, “bringing in, very young, novice, new graduates, obviously foreigners, who do not know the culture, politics, and dynamics” (anonymous) could endanger the success of the cooperation, particularly around politically sensitive issues where a high level of diplomacy is demanded.

Furthermore, several local actors expressed concern that members of international agencies are creating jobs for themselves and people from their home countries. Local actors believe that international actors often hire project managers and contractors from the global north, which gives less room to local CSOs to receive the same funding or to be in charge of their own projects¹⁰⁹ (Expert 8, para. 61; Expert 5, para. 21; Expert 7, para. 14; CSO 10, para. 15; IO 4, para. 33–34).

Having given a comprehensive overview about the opportunities and challenges the cooperation of international actors with local CSOs can bear, the following chapter will analyse the data from the interviews concerning the second research question.

5.2. *Effects of the CSP2009 on human rights CSOs*

This chapter aims at answering the second research question¹¹⁰. The structure of this chapter will be as follows. The adverse effects of the previous CSO law will be outlined first; how they manifested for the whole sector and rights-oriented CSOs¹¹¹ in particular.

¹⁰⁹ Expert 8 (para. 61), for example, explains: “For instance, you might ask them “why are you bringing finance heads from somewhere in Europe?” They might tell you, “because your accountants do not have good qualifications”, which he perceives as a problematic generalised assumption.

¹¹⁰ What were the challenges posed on, and retrospectively, the opportunities given to civil society in general and Ethiopian Charities and Societies (rights-oriented CSOs) in particular by the Charities and Societies Proclamation No. 621/2009?

¹¹¹ I.e. former Ethiopian Charities and Societies.

Then, the positive effects for the sector will be explained. The last section will discuss the opportunities created by the CSP2009 for rights-oriented CSOs in the framework of the following three sub-questions:

(1) Has the CSP2009 created awareness among (rights-oriented) CSOs regarding their dependency on international funding? Has the CSP2009 made them even more independent of non-Ethiopian influences, which they can translate to their new possibilities for cooperation under the CSP2019?

(2) Which strategies have rights-oriented CSOs developed under the previous law that will help them stay independent under the new law?

(3) Do Ethiopian CSOs, and especially rights-oriented CSOs, have selection criteria for which organisations they work with? Do they have the bargaining power to establish their conditions for the cooperation with international partners?

It must be stressed that the previous law and its restrictions did not truly produce benefits for any actors during the period from 2009 until 2019. Instead, this question was asked in order to find out whether the experiences of working within the limitations of this law produced any knowledge or skills that can be applied now.

5.2.1. Negative effects of the Charities and Societies Proclamation 621/2009

As many studies have already outlined the most distorting effects of the CSP 2009 on civil society and Ethiopian Charities and Societies (see Broeckhoven et al. 2020; Dupuy et al. 2015; Mersha 2013), this chapter will only present a summary of the effects mentioned by the research participants.

5.2.1.1. General negative effects of the CSP2009 on the civil society sector

Generally, the adoption of the previous CSO law constituted a 'closing space phenomenon' for the whole of Ethiopian society and more so for civil society. During the interviews, it became clear that the CSO law was designed to close civic space by controlling and punishing any perceived misconduct. This resulted in citizens being intimidated and CSOs being prevented from performing their roles as watchdogs of the government and speak out against abuses of power (Expert 4, para. 22; CSO 6, para. 4, 9; Expert 2, para. 23; Expert 3, para. 25; Expert 7, para. 5; Expert 5, para. 7). Most importantly, the law restricted the freedom of expression and association. Dividing civil society into many categories and imposing which topics certain organisations are allowed to work on, strongly decreased the options for freely expressing one's opinions (CSO 10, para. 3; CSO 6, para. 3).

CSO 10 and Expert 7 explained that the law defined objectives and permissible areas of involvement for civil society, which took away agency from the sector itself (CSO 10, para. 3; Expert 7, para. 3). Most importantly, CSOs that did not register as Ethiopian

Charities or Societies were not allowed to engage in any activities that tackled issues like human rights, advocacy or peace and conflict (CSO 7, para. 16; CSO 8, para. 5-7; Interviewee 1, para. 17). The challenge that arose from that division of tasks is that many development issues, which look like essential delivery services are deeply related to rights issues. In a best-case scenario, these development issues would be addressed through a comprehensive rights-based-approach which encompasses all levels of the problem solution¹¹². Additionally, some issues were not clearly defined as rights issues or development issues by the 2009 proclamation and, as a result, many organisations did not attempt to work on these issues¹¹³ (IO 4, para. 15).

The next challenge that the previous law created for all civil society actors was the so-called '30/70 rule'. The rule stated that administrative costs were only to account for 30 per cent of an organisation's budget, while 70 per cent could be used for programmatic expenses. However, the costs were defined very arbitrarily which resulted in many obviously project-related costs being counted as administrative costs. This was not an easy task to handle for CSOs in Ethiopia (Expert 7, para. 7–8).

Furthermore, the GoE has claimed that the CSP2009 was supposed to reduce the influence of international actors on the internal affairs of the country; thus restricted the cooperation with local CSOs. Several interview partners claimed that it had quite the opposite effect. They claim that the law incapacitated local CSOs but hardly affected international entities who were able to continue their work¹¹⁴. This led to IOs operating on their own or in cooperation with the government directly, circumventing any cooperation with local CSOs. While it helped the international actors to play important roles for development, it diminished local non-state actors' capacities and mandates even more (CSO 9, para. 19; CSO 8, para. 64–65). Brown and Fisher (2020:189) added that while the civic space and the level of democracy decreased after 2005, the amount of ODA actually increased. It is possible that this aid was being directly diverted to the government, which provides more control for the GoE over external influences than if it was channelled through CSOs.

Another impact on civil society was the Charities and Societies Agency's role as a monitoring entity. The directives and regulations which were published by the Agency were perceived to be more problematic than the legal text itself as they specified particular articles in more detail. This created stricter and more complicated

¹¹² One example that was brought forward was the education of girls. The law demanded that a CSO build a school and provide teachers, however, issues like walking long distances to that school with the danger of abduction for marriage, are rights issues, which could not be addressed under the same project by the same CSO actor (IO 4, para. 17).

¹¹³ One example that was named is Female Genital Mutilation (FGM) (IO 4, para. 15).

¹¹⁴ According to Birru and Wolff's research findings out of 266 (2009) international actors 202 (2011) managed to reregister and "the majority of donor agencies reported 'that the Proclamation has not affected their funding mechanism either in the choice of sector or the category of CSO funded'" (Birru and Wolff 2018:843).

requirements, such as the '30/70 rule' mentioned above (CSO 10, para. 3; Expert 7, para. 11). In addition, the behaviour of the officers in the Agency was often described as arbitrary and in alignment with the government's ideology. Several actors reported that the Agency's officers granted privileges to government adherent CSOs and increased the complications even more for CSOs that were perceived to be too critical (Expert 12, para. 3; CSO 8, para. 5; CSO 4, para. 3, 7; CSO 6, para. 4–5). The Agency used unnecessary delays (which were also due to a high staff turnover in the Agency) to prolong decisions and procedures, which also significantly stifled the possibilities for CSOs to work efficiently (Townsend 2019). During the field research the current Deputy Head of the Agency admitted that the previous administrators did not see CSOs as development partners, but rather as unpredictable opponents to the power of the government (Interviewee 1, para. 29).

As explained before, the government's measures against civil society also resulted in an overall campaign against the whole civil society sector. The perception that CSOs and NGOs were embezzling funds and are agents of the 'West', was created. As a result, there were no public protests against the controversial law, and even civil society itself became conditioned to believe that its place was in development and service delivery, rather than advocacy (IO 5, para. 17; Expert 7, para. 11). Another factor is that civil society actors and HRDs were receiving threats and arbitrary detentions, which resulted in self-censorship and retreat from public confrontations (Expert 5, para. 7).

5.2.1.2. Negative effects of the CSP2009 on human rights CSOs

In addition to all the ways in which the previous CSO law burdened the whole civil society sector, human rights CSOs were affected more (Expert 12, para. 3; CSO 3, para. 6).

One of the biggest challenges that the CSP2009 put on rights-oriented CSOs was the so-called '90/10 rule', which allowed Ethiopian Charities and Societies to only generate 10 per cent of their budget from non-Ethiopian sources. As explained above, it was extremely challenging to raise local funds as the general public was wary of the integrity of the civil society sector, or afraid to be associated with certain organisations (CSO 10, para. 3; CSO 2, para. 3; CSO 6, para. 6; CSO 8, para. 68; CSO 9, para. 23; IO 3, para. 35; IO 5, para. 31). In addition, by the power of an additional directive¹¹⁵, Ethiopian Charities and Societies had to deliver all of their property and liquidate or freeze all assets which forced them to start from nothing again (CSO 2, para. 3; Expert 3, para. 19; CSO 4, para. 3, 7).

This, in combination with the arbitrary treatment by the Agency, led to the deterioration of most of the human rights defending civil society organisations (CSO 1, para. 17; CSO

¹¹⁵ This directive could not be identified, which is why the exact wording of the directive could not be referred to.

2, para. 13). The number of surviving CSOs could not be identified precisely. However, the interview partners mentioned that in 2018 only a handful¹¹⁶ were still known to be operating (Expert 12, para. 18–19; Expert 7, para. 12). Those organisations that barely managed to survive had to cut back their operations in many ways, such as closing offices, reducing staff members and decreasing the number of programmes¹¹⁷ (Expert 12, para. 20; IO 4, para. 19; CSO 2, para. 3; Expert 3, para. 19; Expert 4, para. 18). CSO 6 described them to be “one-man organisations” as most staff members that had to receive salary were not able to stay (CSO 6, para. 3). This also affected any remaining relations with international partners, as they found many of their local partners to be in survival mode or in phase-out periods where certain activities could not be completed anymore (IO 3, para. 3; Expert 6, para. 19).

Lastly, many interview partners mentioned the decrease of skills and capacity of rights-oriented CSOs in key areas like advocacy or election monitoring (CSO 6, para. 11; CSO 9, para. 23). The situation did not allow HRDs to actively engage in criticism against the government or to openly uncover human rights violations as they could have been labelled as terrorists or as foreign agents. They could have been persecuted or forced to live in exile (CSO 6, para. 3, 4, 40; Expert 7, para. 24).

Many of the issues explained by the research participants were also showcased by other authors. Gebre (2016:19) as well as Birru (2019) explained the requirements that the Agency established for local CSOs to have income-generating activities, such as the need for the approval of the Agency, business licences or IGA coherence with the core mission. This was especially difficult for rights CSOs, who could not just, for example, open a school to generate income. Gebre (2016:22) and Broeckhoven et al. (2020:28) further described issues like the defamation of CSOs in public, and the inconsistent and abusive administration of the Agency. Staberock and Christopoulos (2019:7–8) gave a brief overview of the devastating effects of the law on two human rights organisations, the Human Rights Council and the Ethiopian Women Lawyers Association, which confirmed the findings of this research.

¹¹⁶ Statements about the number of rights CSOs by interview partners ranged from 3 (Expert 12, para. 18 - 19) to 12 (Expert 7, para. 12). According to (Staberock and Christopoulos 2019:3, 7) and Dupuy et al. (2015:435) after 2009 “158 CSOs were shut down, 17 changed their mandate switching their focus away from human rights , and several others drastically reduced the scope of their operations”. Birru and Wolff (2018:842) showcased that between “2009 and 2011 574 out of 2,275 local NGOs failed to re-register, while those that succeeded overwhelmingly (1,330 out of 1,701) did so by registering as “Ethiopian resident” organisations. They cited an estimation that “only 12 or 13 of the 125 previously existing local rights groups” survived the implementation of the CSP”.

¹¹⁷ E.g. the Ethiopian Women Lawyers Association had offices in all regions, but due to the restrictions, in 2018 only had 3 offices and 10 per cent (six out of 63) of original staff left (anonymous, para. 20; anonymous, para. 3). The Human Rights Council had to reduce its staff members by 80 to 85 per cent and closed 9 of 12 offices (anonymous, para. 3; Gebre 2016:18; Birru and Wolff 2018:842). They were only able to continue two of their programmes (Staberock and Christopoulos 2019:7).

5.2.2. Positive effects of the Charities and Societies Proclamation 621/2009

After expanding on the adverse effects of the 2009 Charities and Societies Proclamation, the question of whether it has had any positive effects on civil society as a sector will be answered. Afterwards, the main research question of its enabling effects on human rights organisations will be discussed.

5.2.2.1. General positive effects of the CSP2009 on the civil society sector

First of all, one could say that the 2009 Charities and Societies Proclamation recognised civil society for the first time by governing it with a separate legislation, which differentiated civil society as entities that have a particular role in the development of the country (CSO 10, para. 3).

Secondly, as it intended, the law helped in creating more transparency and accountability among CSOs. Several interview partners have commended the law for enforcing stricter accountability measures with Agency oversight, as prior, several actors in the sector were seen to be embezzling funds or being involved in other fraudulent activities (IO 4, para. 17; CSO 6, para. 40). According to experts, a large number of so-called 'briefcase NGOs' were identified due to the previous CSO law (Expert 6, para. 31). As these successes were seen as advantages of the previous law, they were partly kept in the new law in order to preserve a system of accountability (Expert 12, para. 29).

Another aspect of civil society work that was seemingly addressed by the CSP2009 was the connection to the society. Expert 4 mentioned that the law recognised that CSOs were not well rooted in their constituencies and had an upward mobility of accountability towards their donors, which it tried to address by restricting the ways CSOs could cooperate with international partners (Expert 4, para. 9, 15). As these restrictions affected rights-oriented CSOs to a greater extent, it will be discussed in the next step whether in the eyes of the research participants, a shift from donor-dependency to accountability towards the constituency actually took place. Other than the aspects mentioned, no positive effects on the whole civil society sector could be identified in this research project.

The issues of accountability, transparency and rootedness in the constituency were discussed by the former Prime Minister and IOs in negotiations about the previous proclamation. Meles, the former PM, explained the need for any democratic initiative to be born out of the Ethiopian society. He stressed that civil society activities should be genuinely owned and not initiated by outside forces. He also stressed the need to eliminate rent-seeking organisations that did not enhance the welfare of the country (Birru and Wolff 2018:840–41).

5.2.2.2. *Opportunities of CSP2009 for rights CSOs*

First sub-question

This chapter analyses the opportunities or positive effects created for rights-oriented CSOs under the CSP2009.

The first sub-question is: Has the CSP2009 created awareness among (rights-oriented) CSOs regarding their dependency? And did it make them even more independent of non-Ethiopian influences, which they translate to their new possibilities for cooperation under the CSP2019?

The answer to this question can be started by saying that there are different views among the interview partners. A number of voices said that for rights-oriented CSOs, the law had many more negative effects than positive ones (Expert 3, para. 19; CSO 9, para. 19). However, some interview partners stressed that the intentions behind the creation of the law were partially achieved (Expert 12, para. 28–29; see also CSO 3 2015:22). Expert 4, CSO 1 and Expert 5 said for example that the law somehow addressed the critique that CSOs were not rooted in society or were being influenced by, for example, international religious fundamentalist groups (Expert 4, para. 9; CSO 1, para. 30–31; Expert 5, para. 13). They argued that the CSP2009 has helped bring more transparency to the mandates of CSOs and created awareness among CSOs about the importance of being rooted in a defined constituency.

After reflecting on the question and stressing the negative effects of the law first, many interview partners hesitantly (and some strongly) admitted experiencing a shift of approaches under the previous law. Especially individuals who were working for or had worked for one of the few surviving human rights organisations¹¹⁸ stressed the high learning curve during the CSP2009, which forced them to explore several innovative ways to survive¹¹⁹. They also mentioned that this exercise strengthened their institutions, commitment to human rights and relations to their beneficiaries (CSO 2, para. 11–13; CSO 6, para. 39–40; Expert 3, para.19).

The data analysis shows that individuals working for rights-oriented CSOs appear to have a particularly well-established sense of independence and understanding of the draw-backs of donor-receiver relations (Expert 3, para. 19; CSO 6, para. 30; Expert 4, para. 40; Expert 2, para. 49). It was stressed that support from international partners is highly needed, especially after the devastating effects of the last ten years (Expert 2, para. 35). Identifying that, the interview partners expressed the need for genuine partnerships where local capacity is recognised, and indigenous approaches are

¹¹⁸ E.g. EWLA, ELA, EHCO, APAP.

¹¹⁹ The different strategies will be discussed in the next sub-chapter.

supported. Expert 3 emphasised that even if the goals are the same, the ownership of the approach needs to stay with the local society: “At the end of the day, it’s the country of the people. So for the country of the people, just let them achieve what and to the extent they want” (Expert 3, para. 27).

Based on the statements of the interview partners, one can see that under the new law, several actors have high ambitions to incorporate different strategies to stay independent of their international partners. For example, three individuals who have recently established new rights-oriented CSOs, showed strong ambitions to stay independent (see CSO 6, para. 30; Expert 4, para. 28, 40; Expert 2, para. 47). Expert 2 explained: “If I were dependent on foreign funding, I would at some point have to make compromises, and I haven’t had to make compromises so far” (Expert 2, para. 49). CSO 6 added that having to comply with donor demands means that one does not have independence, which is why his consortium aims at empowering its member organisations to become independent of their donors (CSO 6, para. 30).

It is not easy to answer whether it was the law that helped create an awareness of dependencies on external influences. A large number of interview partners mentioned that they were aware of potential hierarchies and dependencies when working with international partners. Whether they were already aware of that pre-CSP2009, or built the sensitivity after 2009 does not become clear by the data at hand. However, it can be assumed that many of them have been aware since before the previous CSO law was enacted. One fact that was mentioned is that most rights-oriented CSOs coincide with being founded or managed by well-trained legal experts, often with foreign degrees, who, by profession already, bring along a high sensitivity for issues like donor-driven agendas and other hierarchic dynamics (Expert 4, para. 18). In addition, some had already developed strategies to maintain their independence before the law came into force (CSO 4, para. 11, 21; Expert 7, para. 28). Thus, the effects of the law on this awareness cannot easily be distinguished from other factors.

Prior to the research, there was the assumption that CSOs who were operating as Ethiopian Charities (i.e. rights CSOs) had more understanding about the potential influence from foreign actors, as they lived through a phase of forced independence. Yet, the interviews with former Resident organisations (i.e. non-rights CSOs), that were allowed to receive foreign funds continuously showed that they too had a well-established scepticism about power dynamics in such relationships (CSO 10, para. 13, 23, 25, 29, 33; CSO 9, para. 9; CSO 7, para. 14, 20; CSO 8, para. 43). The head of a consortium organisation appealed to international partners: “Please try to synchronise your programme with us, understand our priorities, our main priorities. Our programme is based on our country's interest. [...] We know what the burning issues are. [...] And

we planned, we crafted our proposals of projects, based on situations existing in specific areas. So, please respect our ideas, accept our proposals, and try not to interfere” (CSO 10, para. 33). In contrast to the rights CSOs, it appears that those organisations, despite their awareness, have not yet developed many strategies to circumvent possible dependencies, except for choosing partners who treat them as ‘partners on eye-level’ and support their local agendas (CSO 9, para. 19, 21; CSO 10, para. 33; CSO 8, para. 15).

Drawing from the concerns that many interview partners expressed, the situation as portrayed above does not seem to represent the whole sector. Many still conveyed uneasiness about the civil society sector. Despite some best practice examples, civil society appears to be donor-driven after all. As a whole, civil society has not developed well-established, sector-wide best practices to equalise donor-recipient power relationships (CSO 2, para. 11; Expert 5, para. 13; Expert 2, para. 20–21; Expert 4, para. 18). CSO 8 (para. 68) added that under the previous law, one could not talk of independence because there were no alternatives to foreign funding, and without funding, no activities could be implemented. Thus, he argues that under the CSP2009 for many it was just a way for surviving, not for acting in the best interests of constituents (CSO 8, para. 68).

Additionally, it was expressed that not only is civil society aware of the possible harm from effects of external influences, but that this sentiment has been part of Ethiopia’s culture since it stayed independent from colonial powers during the past centuries. In the defamation campaign run by the government during the CSP2009, civil society was portrayed as agents of the “West”. This, in addition to deeply-set conservative cultural beliefs, led several interview partners to express warnings for the sector not to act in such a way as to confirm conservative actors’ fears about cooperation with foreign actors (CSO 8, para. 43; Expert 12, para. 21, 27; Expert 8, para. 51; see also Birru and Wolff 2018). This means that local, indigenous CSOs should take the ‘front seat’ in any activities tackling local cultural norms.

Outlook under the new law

The new CSO law, which was developed by representatives of human rights organisations, has re-opened the space for civil society to work with international partners. At the same time, it kept some regulations and added aspects that indicate a strong will for independence (CSO 6, para. 12). The new law mainly restricts non-Ethiopian actors from working unilaterally on issues like lobbying and election-related issues (CSO 8, para. 66). As explained above, these are seen to be local issues that should be controlled by Ethiopian actors. Furthermore, the law initiated the Civil Society Council and the Code of Conduct, which allow the civil society sector to regulate, monitor

and independently support itself (CSO 6, para. 30). One interviewee mentioned the ambition for the Council to check and comment on any call for proposals published by international actors to ensure alignment with local agendas and ownership by the CSO actors (CSO 6, para. 30).

Conjointly, the Agency stressed the importance of CSOs being independent of any external influences, whether local or international. In order to do this, in their bylaws, they need to clearly define their objectives, goals and constituencies to ensure credibility. Further, they are asked to follow their own agendas and not act as “mouthpieces” of their international partners (Interviewee 1, para. 14–15, 32–33, 40–41).

Expert 2 emphasised that local CSOs and international actors should use the opening of the civic space – this “window of opportunity” - to build local capacities as fast as possible since the space could be closed again at any point in time. This would empower local CSOs to claim their space and role, and act independently even if at some point internationals are not allowed to act anymore (Expert 2, para. 9, 35).

As the CSP2019 was just recently published, it is in question whether those CSOs that were in involuntary independence want and will be able to stay independent of these influences. With the new opportunities, they could easily accept any support again without reflection on its effects (Expert 12, para. 32–33).

Second sub-question

Having discovered that a general awareness of independence exists in the sector, the second question asks what kind of strategies rights-oriented CSOs have developed under the previous law that could help them stay independent under the new law.

As only a few rights-oriented CSOs survived the strict regulations of the CSP2009 and most just barely, one cannot generalise these experiences for the whole sector. However, seeing that many of the interview partners have, at some point, worked in these organisations, their experiences and mitigation strategies could become especially valuable for some of the newly founded organisations. Almost all actors from the previous Ethiopian Charity organisations expressed that the time of CSP2009 forced them to establish innovative ways of operating and go out of their comfort zones to survive and continue to serve their beneficiaries (Expert 3, para. 19, 21; IO 4, para. 19; CSO 2, para. 11).

The focus here will be on the positive learning caused by the restrictions of the previous law. Without a doubt, there were other coping strategies to survive the CSP2009, such as colluding with the government to be exempted from harsh treatment from the Agency or scaling down activities to be considered a Resident organisation.

Income Generating Activities (IGA) and local funding sources

One approach that CSOs engaged in was finding local sources of funding. The interview partners mentioned the creativity to generate new sources of income as the prime difference between rights-oriented CSOs and non-rights CSOs. As mentioned, the previous law set many extra burdens on income-generating activities, such as the need to seek permissions, the prohibition of anonymous donations, or the requirements that the sources had to be related to their main objectives (FDRE 2009). Furthermore, with the enactment of CSP2009, all Ethiopian Charities and Societies had their assets frozen or were required to hand them over, which resulted in them starting again from nothing (CSO 2, para. 3; see also Staberock and Christopoulos 2019:7).

In the interviews, Expert 3 and CSO 2 explained in detail how the Ethiopian Women Lawyers Association attempted to generate local funds. EWLA has been a fairly successful and well-respected organisation for women's rights and was able to secure many funds from international organisations before 2009. This is why, after the shift of the law, local investors did not understand the need for funds. Thus, a lot of awareness creation work had to be done (Expert 3, para. 19). Furthermore, the religious culture and the fear of governmental resentment for supporting human rights activities hindered Ethiopians from sponsoring human rights CSOs (CSO 10, para. 3; CSO 9, para. 23; see also Dupuy et al. 2015:441). Therefore, in addition to the three programmatic areas of EWLA, the organisation had to open a fourth department that focused solely on fundraising (CSO 2, para. 11). EWLA members would go to different public places and advocate for their organisation on the streets, selling objects like T-shirts or pens, organising movie screening events, or creating partnerships with artists, famous and business people to act as ambassadors (Expert 3, para. 19; see also Brechenmacher 2017). While membership fees did not have much significance before CSP2009, they then also helped EWLA survive (CSO 2, para. 11; Expert 3, para. 19). Moreover, as many lawyers were engaged with EWLA, they sought to find loopholes in the legislation that would give them opportunities to raise funds (CSO 2, para. 13). Expert 3 explained that they did not have the expertise about income generating activities before and no advisors to support them. This is why everyone from board members to volunteers was engaged in learning how to raise funds under the previous proclamation (Expert 3, para. 19). For the Ethiopian Lawyers Association and the Human Rights Council, similar approaches and difficulties were encountered (see also Brechenmacher 2017; Dupuy et al. 2015:441; Mersha 2013; Staberock and Christopoulos 2019).

According to the '90/10 rule', rights organisations were not allowed to receive more than 10 per cent of the budget from foreign sources. However, in 2012 the World Bank

and the EU successfully negotiated their civil society programmes¹²⁰ to be considered local sources. They gave local human rights organisations the possibility to receive international funds within the 90 per cent (Brechenmacher 2017; CSO 1, para. 9; CSO 2, para. 3; CSO 3, para. 8; Expert 7, para. 14; IO 1, para. 16). However, as stressed many times, this did not relieve rights organisations from other burdens or intimidations to implement their mandates (IO 1, para. 16; see also Brechenmacher 2017).

With the new CSO law and fewer limitations, many organisations have started engaging in income-generating activities, such as investing in shares to sustain their organisations despite the possibility of international support (CSO 6, para. 30; IO 3, para. 35). The approach of one local actor to raising funds is to explain a social problem to local or diaspora stakeholders and ask whether they wish for a specific change. If they do, they should also be expected to fund the project, because, unlike international actors, they have a stake in the outcome. Their motto for this strategy is "You want it, you fund it", which seems to work for some agendas, but possibly not all (Expert 2, para. 53).

Now, with the new law, it seems as if many organisations, whether rights-oriented or development-oriented, are hoping to tap into IGAs and thus, also receive the support and approval of the public for their work. IGAs would create more sustainable sources of income than the often project-related short-term funding from international partners (CSO 7, para. 20; CSO 9, para. 27). The Civil Society Research Center¹²¹, for example, has a plan to have "zero foreign aid partners. Because we want to prove that this is a typical bottom-up organisation that cares most about its constituency" (Expert 8, para. 76).

Volunteers and committed members

Another area that was seemingly strengthened through the restrictions is the engagement in the sector. Expert 3 proudly explained that it really tested the activists' commitment to human rights. It pushed the members to work harder and leave their comfort zones. Expert 3, for example, during the time she acted as a board member took over leadership for a regular department, while her colleagues also assumed tasks of staff members without remuneration (Expert 3, para. 19). One could say that they survived thanks to the firm belief of the leaders in human rights and their commitment to keep fighting for that cause (Dupuy et al. 2015:441).

While many volunteers discontinued their support due to their fear of being associated with rights CSOs, on the other hand, it helped strengthen their volunteer support. CSO 2 explained, that although EWLA did not have the resources to continue some of its

¹²⁰ Namely: Ethiopian Social Accountability Program (ESAP2) and European Union's Civil Society Fund 2 (CSF II).

¹²¹ The Civil Society Resource Center is a hub where CSOs cannot only find co-working space, but also other knowledge resources and other CSOs to cooperate with.

programmes, the legal aid service, by virtue of the highly committed legal and non-legal volunteers, continued all over the country (CSO 2, para. 3, 11, 13). Likewise, CSO 3 from VECOD explained that they were only able to continue their work because of their volunteers. Unfortunately, those were mostly based in Addis Ababa, which is why most of their programmes outside of the capital were put on hold (CSO 3, para. 18).

What is more, the new CSO law was written by volunteers from the CSO sector, who put their effort and expertise into it (Expert 12, para. 23). Expert 2 also explained that his organisation was currently only able to work independently, because of its 160 volunteers — professionals from all walks of life. Volunteers instead of duly-paid employees can of course lead to slower performances. But according to Expert 2, they were mostly delivering out of commitment to their mandate and intrinsic motivation (Expert 2, para. 49).

Coalitions and cooperation

One way of circumventing the effects of the CSP2009 was to cooperate with local institutions that were allowed to receive international funding, which could then be disseminated to local human rights organisations. Organisations like the Commission for Human Rights or the Human Rights Center of the University of Addis Ababa are state-related entities that exempted them from the civil society legislation. Therefore, they were able to receive international funds. They then partnered with local CSOs who could use those funds to implement projects without the Agency intervening much (Expert 12, para. 5–7; Expert 2, para. 15). This procedure was described as a way to create new forms of partnerships and find new valuable allies within the country and outside of the civil society sector (Expert 3, para. 19). On a contrary note, other coalitions, like the Ethiopian Civil Society Network for Elections or the Union of Ethiopian Civil Society Organizations, were dissolved in the course of the establishment of the previous CSO law (Dupuy et al. 2015:437).

Mainly since the new legislation, civil society seems to have come together in different coalitions to support each other and to exchange resources in order for the sector to become more robust and independent. Despite the mandatory processes of the Civil Society Council with its Code of Conduct, in which many put a lot of hopes (CSO 5, para. 64; CSO 6, para. 14), other initiatives were started as well. The CSOs, for example, formed a coalition for election observation and electoral processes which already successfully managed to deploy observers in the Sidama referendum in November 2019. At time of the field research, this coalition was already preparing for its much-needed role in the national elections in 2021 (CSO 6, para. 11; IO 1, para. 57; Expert 7, para. 14). Other attempts of bringing civil society together were underway as well, such as the Civil Society Resource Center (Expert 8, para. 76), the Consortium of Ethiopian Human Rights Organizations (CEHRO) (CSO 6, para. 9), or the attempt to establish an Ethiopian

Bar Association (CSO 1, para. 35). Others among the interview partners stressed the importance of CSOs cooperating and aligning their efforts, as well as learning from experiences from before the 2009 closure (Expert 6, para. 37; Expert 5, para. 23; Expert 2, para. 11).

Approaches by international organisations

Above, the learning curves of the local CSOs were explored, but one can as well look at international organisations and how the CSP2009 affected their ways of cooperation. They too had to become creative in their approaches to achieve their mandates. It could be argued that the CSP2009 also helped to create awareness and mitigation strategies among international actors. The most successful approach was probably by the EU and the World Bank by getting their funding mechanisms to be recognised as local funds, but other strategies had their advantages, too. Some actors changed the wording of their programmes from 'rights' and 'advocacy' to terms like 'transparency' and 'accountability', basically implementing the rights-based approach to development without calling it that. Some focused the programmes on addressing 'hard-to-reach' members of society. This left room for the term to be interpreted as either geographically hard-to-reach or as marginalised groups (IO 5, para. 13, 15; IO 3, para. 3). With this strategy, Resident organisations who were not supposed to work on rights-related issues got a chance to tackle some of the issues without having to name them. Another approach was not to allocate direct funds to local CSOs but rather to partner so that the expenses could be covered by the international partners, such as renting event locations or hiring the trainers for a capacity training. This type of partnership did not allow for core support or sustainability-building of the organisations, but at least it offered opportunities to conduct certain rights-related activities (Expert 6, para. 15). One diaspora organisation sponsored internships for young law professionals in human rights organisations which provided human resources to CSOs as well as training for more human rights defenders (Expert 8, para. 72). Dupuy et al.'s (2015:428) research illustrates the same approaches by international actors, as explained by the findings above.

Third sub-question

The third sub-question is whether Ethiopian CSOs and especially rights-oriented CSOs have selection criteria on which organisations to work with and whether they have the negotiation power to set the conditions for the cooperation with international partners.

Without a doubt, some local actors do not have many conditions for their partnerships as they have to survive as an institution, and therefore, try to align themselves with any possibility that arises (CSO 9, para. 3). However, the question is whether local actors, with the increased awareness and the strategies to stay independent, are also able to

negotiate their conditions for cooperation. The following selection criteria and negotiation strategies by local CSOs were identified in the field research.

Coherency with local agendas and approaches

Most interview partners but especially representatives of rights CSOs stressed the importance of the funding having to support their own agenda and programmatic priorities (CSO 1, para. 13; CSO 2, para. 20–21; CSO 3, para. 18; CSO 7, para. 12, 14, 34). Despite the universality of human rights, organisations have set their own priorities and approaches from which they do not wish to deviate even if large amounts of funds were offered (Expert 4, para. 40; CSO 6, para. 29). CSO 2, for example, explained: “You know, our vision is to see all women equal to men. It’s our vision. And we have our strategic documents, which will guide us in which areas to work. If it deviates from this one, we cannot see to that call for proposals because it deviates from our programme” (CSO 2, para. 9). CSO 6 even expressed that any planned cooperation is first discussed among the board members of his organisation and evaluated on whether it offers the potential for a “win-win situation” (CSO 6, para. 30). Another interviewee also showed their negotiation power as a local actor. According to Expert 2, he puts the precise condition of no interference in their work: “And one of our preconditions is that funding institutions cannot, will not and should not tell us what to do. It’s a pre-warning, in our first meeting I tell everyone, if you have an agenda, tell me what it is now so that you are transparent and if that is a precondition for your help. I tell you whether we agree on that after the working group has done the substantive work”. He has been forced to discontinue relationships in which the partners tried to set specific goals once the partnership was created. His organisation has this leverage to negotiate because he has the support from many competent volunteers (Expert 2, para. 47–49).

Compliance with the same core values

In addition to agenda and priorities, many actors have also mentioned that they check whether the potential partners share the same core values. According to the research findings, many actors deny relationships with partners who do not share the same values in terms of democracy or human rights (CSO 5, para. 14; CSO 3, para. 18; CSO 6, para. 30; IO 4, para. 23¹²²). The head of a consortium added that many organisations also checked whether the values of the partners went against Ethiopian or religious values that are highly respected in Ethiopia. They know that the public would not support their activities if they challenged fundamental cultural values (CSO 8, para. 43). Actors who have been in the civil society sector for a long time and have an extensive network explained that through their experience, they were able to monitor the activities of

¹²² She represents an international CSO which is sharing the same selection criteria when it comes to their international donors.

different international actors. They can now easily decide with whom they wish to partner (CSO 6, para. 34; Expert 3, para. 9). Since their relations were extremely limited over the past ten years, they were able to identify genuine long-term partners who have created many opportunities for them and showed real interest in their institutional survival, even during difficult times (CSO 6, para. 40). The newly founded CSO, Lawyers for Human Rights, as well as the international CSO Life Support, pay close attention to the sources of the money they are offered. As the aid chain is long and intertwined they want to make sure that they are not supporting human rights with funds that originate from states or organisations that for instance have committed human rights violations (Expert 3, para. 9; IO 4, para. 23).

Focus on core funding and institution-building

Another selection criteria for many was for the funding arrangements to include institution-building elements. This could be constituted by core funding instead of project- or tied-funds. As explained above, core funding allows local CSOs to manage their finances as needed (CSO 2, para. 7; Expert 8, para. 78). Some actors explained their donor consortium approach, where their overall objectives and approaches are presented to potential partners. If partners want to support the objectives, they are asked to pool their funds to support the work of the CSO generally and not only one specific project (Expert 4, para. 51). According to an APAP representative, this was easily possible before 2009 because they had a well-established capacity and reputation, so donors put much trust in their work (CSO 4, para. 21).

Furthermore, several interviewees expressed the need for partners to be willing to support local capacity and institution building of Ethiopian CSOs. Since the capacities and competencies of many CSOs were diminished under the previous law and with the uncertainty of how long the civic space will remain open, it seems especially important to empower the local activists and human rights defenders (Expert 3, para. 9; Expert 4, para. 40; CSO 4, para. 21; CSO 7, para. 12). This includes long-term funding arrangements to ensure sustainability and the ability of organisations to plan their growth over a period of time (Expert 4, para. 40). CSO 5 added that they needed to be sure of the partner's financial stability so that the sustainability of the funding arrangement was also ensured (CSO 5, para. 14).

Negotiation Power

In the next step, the question arises whether the organisations have the power to negotiate these conditions and create real partnerships with international organisations where no (or less) level of dependency needs to be accepted.

Foremost, interviewed CSO representatives that were identified to possess selection criteria and strategies to stay independent, mentioned that they are very well able to

negotiate their conditions before entering any cooperation (CSO 2, para. 5; CSO 6, para. 30, 37; Expert 2, para. 47–49; Expert 7, para. 28). Expert 2 explained his organisation’s model in the following way: “If we take foreign funding it’s going to be: ‘This is what we are going to do. This is what we need to do. Who is going to fund it?’” (Expert 2, para. 53). CSO 6 explained a situation where he was asked to act as an individual consultant, which he refused and instead set the condition that if they wanted him, they should support his organisation which he has already built with his expertise (CSO 6, para. 37). The organisations built by the individuals mentioned before were described as the “high-performance CSOs” (IO 1, para. 50). Therefore, it can be assumed that negotiation power is not available to the whole sector and that it strongly depends on their capacity, reputation and deviation strategies.

However, the interviews portrayed a picture in which other CSOs were also aware of their strengths and how to leverage them to bargain for fair cooperation. For example, CSO 8 emphasised that any cooperation should be beneficial for their constituencies and, in order to gain more bargaining power in future partnerships, planned on increasing the consortium members’ capacity (CSO 8, para. 45).

Flexibility of donors

These ways of cooperation are not possible without international actors respecting and treating local actors as equals. The chapter about challenges explained that hierarchies are often experienced when international actors impose their agendas or approaches on the local partners. This research showed that several international actors do not wish to handle their collaborations this way. The Democracy Foundation, for example, works on a pure partnership basis and not as a donor, which means that they share responsibilities in any given activity. Thus, Expert 6 reported that they had not encountered disagreements with their local partners (Expert 6, para. 11). IO 1 has also recognised that the local capacity to define their own agendas and stand their ground exist in Ethiopia, although they specified that it depended on the institutional strengths of the local CSO (IO 1, para. 13, 50). On the CSO side, Expert 2 similarly appreciated that some international actors were able to contextualise and localise funding, whereby individuals act as interlocutors and “go to the heads, to the managers in the funding institutions and figure out ways to modify their mandates and make them fit our needs” (Expert 2, para. 51). Other examples of international actors who have acted on a genuine partnership basis were explained in the chapter above¹²³.

¹²³ See second sub-question.

6. DISCUSSION, RECOMMENDATIONS AND OUTLOOK

This chapter will portray brief summaries of the above-explained findings. Furthermore, this chapter will highlight the unexpected features and discuss them in comparison to the theoretical framework and the findings from the literature. Recommendations will be established, based on the analysis of the data. In the last step, this research's limitations, a brief outlook and suggestions for further research will be given.

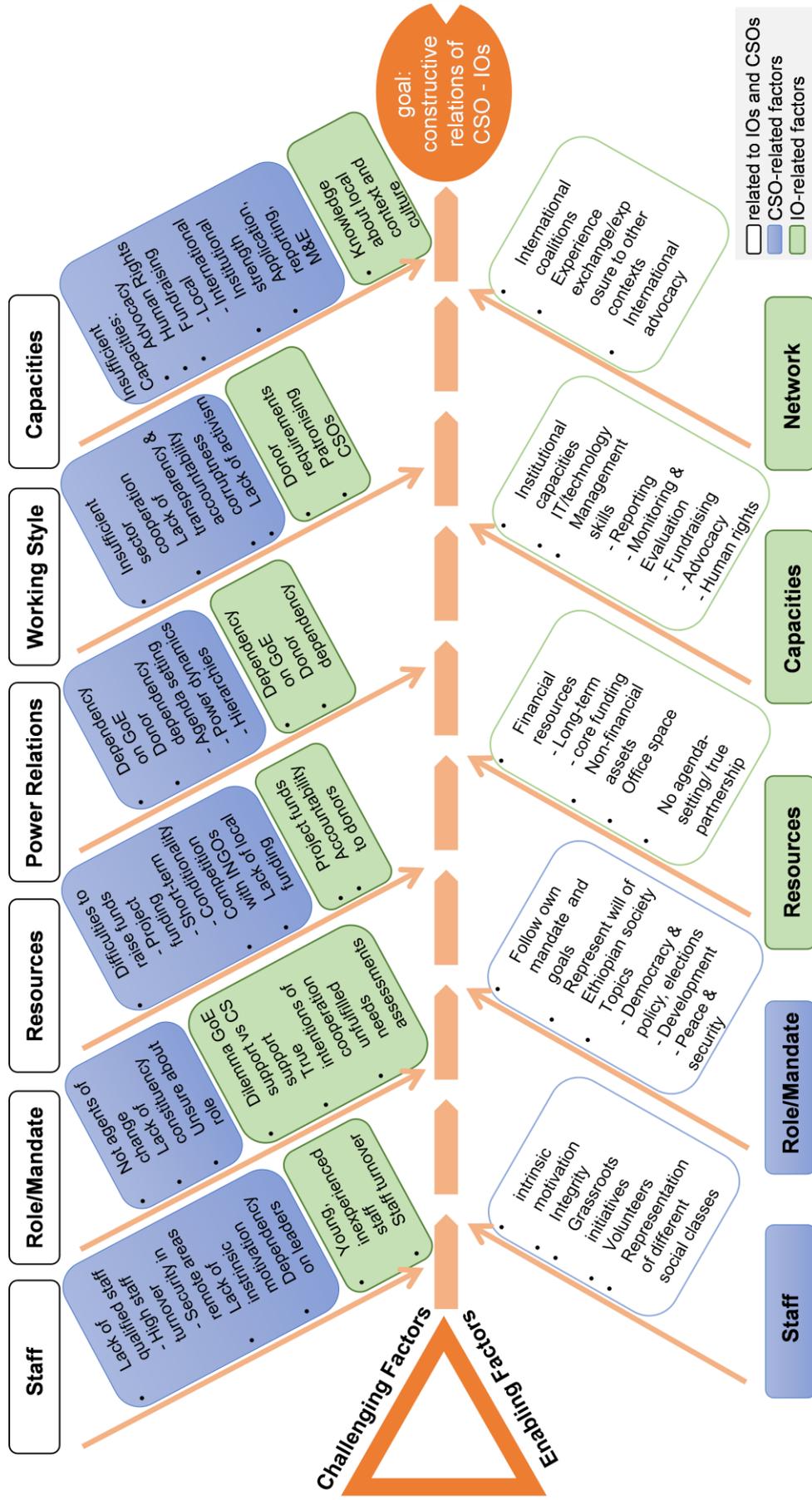
6.1. *Discussion of results of the first research question*

With regard to the first research question concerning the opportunities and the challenges of the cooperation, the main results are summarised in a fishbone diagram (see Figure 2).

This quality management tool is based on Ishikawa's "Guide to Quality Control" (Ishikawa 1998). The tool can be used to develop solutions that do not only deal with symptoms but consider the root-causes of a phenomenon.

The "fish's backbone" constitutes the goal for this research: A constructive and sustainable relationship between Ethiopian civil society organisations and international actors. The factors that enable this goal or enhance its achievement come from the "fish ribs" underneath. The colour blue in the figure shows factors that can be influenced by CSOs (mostly related to staff members and the role and mandate). Green colour displays the dimensions international actors can use to improve the relations (mostly related to funding arrangements and resources, capacity-building and facilitation of networks).

Figure 2: Fishbone Diagram – Challenging and enabling factors for a constructive relationship between CSOs and IOs



Own illustration, based on: (Ishikawa 1998)

Furthermore, the “fish ribs” that come from the top of the figure show the challenging aspects that can complicate the relations of the two groups of actors. Both, local (blue) and international (green) actors have factors in the categories of staff and human resources, role and mandate, funding arrangements and resources, power relations and dependencies, working style and procedures, as well as in capacities. It can be observed that many enabling factors are the exact opposite of the challenging factors.

Most of the challenges named during the field research were said to be currently existing. Out of the enabling factors, some were also named to be currently in place, but most were mentioned as hopes of how the sector should be functioning. Therefore, improvement of the cooperation can be aimed at by enhancing the enabling factors while reducing the challenging factors.

In general, one could say that the findings from the Ethiopian case study established similar results with what the literature suggested. While in the literature, only three general areas of challenges were identified (funding arrangements, hierarchies and power relations, requirements and conditions), the reality in Ethiopia added three more areas in which the participants saw difficulties for their cooperation (staff and human resources, role and mandate, and capacities). The topic of role and mandate seemed to be especially difficult in the Ethiopian context. As explained above, roles and mandates were not well defined by most CSO actors, as the previous legislation has evidently distorted the image and the self-perception of civil society.

However, looking at how the role of civil society was described in the literature and by local actors¹²⁴, not many differences could be identified. Still, a widely held concern by many interview partners was that civil society needed to redefine itself and claim its proper space in society. Although the literature also discussed the often insufficient capacities of CSOs to cope with the requirements of international partners, the Ethiopian civil society seems to require even more capacity building as it has been tremendously impaired in areas like human rights protection, advocacy and election-related tasks. The same holds for the difficulties in the area of staff members. As the sector has been seriously damaged, and its image tarnished, many of the challenges related to staff were also caused by the closed space over the past ten years.

It should be noted that some enabling factors could also lead to challenges, as explained in the analysis¹²⁵. For example, training and capacitating staff members could result in brain-drain of skilled workers to better-paying employers, or ‘isomorphism’¹²⁶ and therefore detachment from the constituency.

¹²⁴ See chapter 2. and chapter 5.1.1.

¹²⁵ See Chapter 5.1.

¹²⁶ I.e. the professionalisation of initial grassroots initiatives.

6.2. *Discussion of results of the second research question*

The second question seemed to be more complex to answer as it is based on feelings and sentiments, which are rather difficult to analyse scientifically. Nevertheless, with the findings from research, it was possible to provide insight into the highly complex topic. The following figure (Figure 3) shows the different ways of handling the relations between local CSOs and international actors as resulting from the analysis.

On the CSO side, one can differentiate between those aware of the problems that could arise by cooperating with international partners in terms of dependency and those who did not show any awareness about these problematic dynamics. The latter can be local CSOs that do not perceive their partnerships to be hierarchical and who perceive themselves to be treated with respect for their role, knowledge and capacities¹²⁷ (category 4 in Figure 3). On the other hand, some actors do not perceive any dependency issues because they are not aware of them, although they might be present in their relations (category 3 in Figure 3). Even when none of the participants in this research seemed to belong to that category, the way the sector was described overall creates the assumption that several actors fall into that category. However, as the previous administration strongly justified the need for CSP2009¹²⁸ and therefore, creating an image of the sector being too donor-driven, it can be assumed that most CSOs have dealt with these suppositions in one way or another.

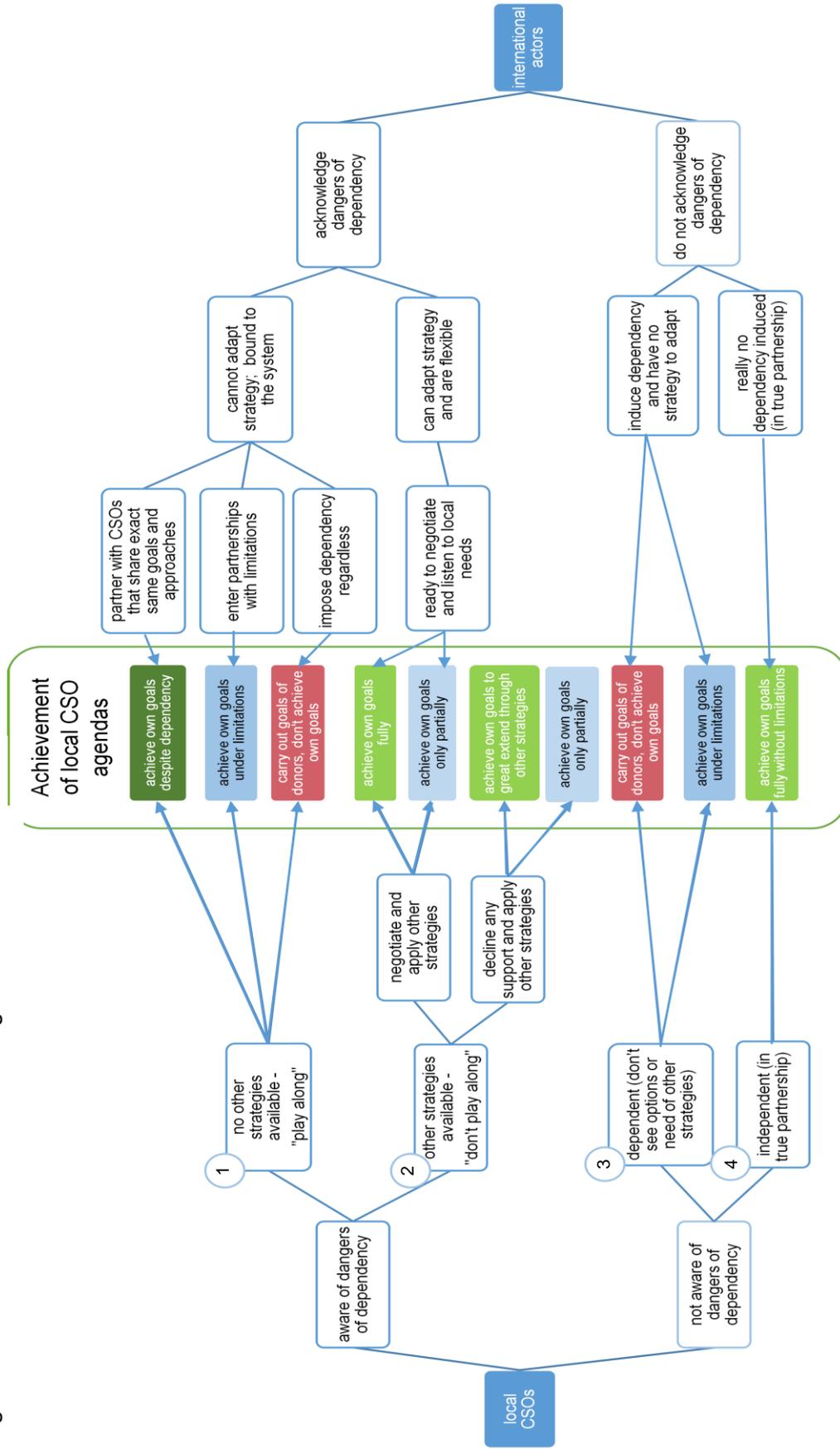
Among the actors who are aware of the underlying dynamics between actors in positions of power giving resources, and those receiving them, there are also two types. There are those that have strategies to avert these effects (category 2 in Figure 3) and those who do not have other alternatives than to “play along” in order to be able to act at all (category 1 in Figure 3). According to the research results, quite a lot of local CSOs seem to see themselves in category 1 — they are aware that accepting international funds may create dependencies. Nevertheless, they currently do not see many alternatives since local funds, IGAs and other resources are not available. These organisations expressed a desire to negotiate conditions and be respected in their own capacity, but do not always have the leverage to achieve this type of relationship. In spite of that, human rights organisations¹²⁹, that did not have much choice other than to develop survival strategies without depending on international support, fall into the second category. These organisations are willing to and know how to negotiate their conditions and compromise in order to achieve their mandate.

¹²⁷ In the current Ethiopian context, not many seemed to be positioned at that point, but a few showed a tendency with certain types of partners.

¹²⁸ I.e. the need of CSOs to be independent of external interferences.

¹²⁹ Which used to be registered as Ethiopian Charities.

Figure 3: Paths to achieve local CSO agendas



Own illustration

In addition, these negotiations have a higher chance of being successful, because these CSOs have other options (even if not always the best or easiest), such as hard-working and committed volunteers, other local partnerships and collaborations, or local income-generating activities. These CSOs are less vulnerable to unwanted dependencies because they have many experiences and capacities from before and during CSP2009 that can be built upon.

For all these scenarios, different outcomes can be assumed. Those strongly depend on the international actor's collaboration in question, who can decide to cooperate with the strategies of the local CSOs or not (see right side of the chart). In the middle, the variable of the 'achievement of local CSO agendas' is used as a proxy for the level of independence. Red boxes show the scenarios where local CSOs enter into wholly dependent relationships and do not achieve their own goals and agendas, but are instead the implementing agencies for the agendas of the international partners. In some cases, the goals and agendas of local CSOs are only implemented because they match those of the international actor (dark green). In other cases, the local actors' goals are achieved partially or under limitations (blue boxes). This means that if they are able to receive the support to further their cause, some conditions or expectations might be attached. Additionally, if negotiations were not successful and alternative strategies are not possible, CSO goals might be still achieved, but not entirely or only in part (light blue). The last possible scenario is that the local goals are fully achieved without being limited by the agendas or conditions of the supporting actors (light green). As literature and the analysis show, this scenario is not very likely due to many hierarchical power dynamics. However, it was also observed that several CSOs in Ethiopia are able to reach this scenario in one way or another, especially after learning from the restrictions of the previous law.

Not much research has been conducted on the positive learning effects of a 'closed space phenomenon'. Therefore, the results of this research cannot easily be compared to existing literature. It can only be said that research also identified the general sense of independence in the Ethiopian society, induced by history and the narrative of the previous administrations (see Birru and Wolff 2018). Furthermore, while many of the strategies that were identified as ways to become or stay independent of international influences, those strategies were also shown in researches about survival strategies of local CSOs under CSP2009¹³⁰ (see Dupuy et al. 2015; Feleke 2018; Mersha 2013). However, time will show whether these strategies can be maintained after a period of time in which cooperation is possible again.

¹³⁰ Already Giddens (1984) introduced the "concept of dialects of control" which argues that any actor in a partnership always has some decision powers at hand to circumvent adverse effects of the relation.

Although apparently no similar research has been conducted in other contexts before, it is still interesting to compare these strategies to those identified in a research in Ghana and India, where local NGOs try to mitigate effects of conditions from their donors (see Elbers and Arts 2011:723–29). As explained in the theoretical framework¹³¹, four strategies with different tactics were employed in those contexts: ‘Avoiding’, ‘Influencing’, ‘Buffering’ and ‘Portraying’. The Ethiopian strategies identified in this study correspond only partly with those of Elbers and Arts. In Ethiopia, local actors also try to avoid conditions by selecting the right set of partners, refusing offers that are not in line with their own agendas and objectives, or terminating relations if conditions are imposed. In addition, minimising dependency through negotiating with and persuading partners can also be found in this study's results. Interestingly, the strategy of personally involving international partners in order to get a better understanding was emphasised more by representatives of international actors. They perceived more involvement in a project as a better basis for constructive cooperation than merely receiving reports and transferring funds in return. The strategy of buffering or mitigating the unavoidable adverse effects of the relations was not seen much in Ethiopia. Albeit, one of the main strategies applied by the Ethiopian CSOs is to generate other funds to cover more costs than what strictly-defined international funds allow. The last strategy, to pretend to be in compliance with donor conditions by submitting false reports, was only marginally mentioned in the results. And, as Ethiopian civil society needs to urgently work on its image of not being transparent and accountable enough, this strategy is strongly discouraged. Becoming more reliable actors will not only improve relations with international partners but also build trust and respect from the Ethiopian society and administration. Therefore, it can be concluded that similar findings were made, but due to history and experience, some strategies significantly differ from those in Ghana and India. It can be assumed these differences were due to the conditions created by the restrictions under CSP2009 which uniquely enabled Ethiopian CSOs to reflect on the cost and benefits of relationships with international actors and develop a broader set of mitigation strategies.

6.3. Recommendations drawn from the analysis

Above, the advantages and challenges of cooperation between local CSOs and international partners, as well as the effects of the restrictive law on how CSOs can manage their relations have been analysed. Hence, what recommendations and take-away can be concluded from these results?

As part of the field research, all participants were asked what they would recommend to their counterpart, as well as to actors in their own group, to improve the relationship and overall efficiency of their work. These answers, combined with the research results

¹³¹ See Chapter 2.3.3. Table 1.

from the first two research questions, were used to formulate a set of recommendations for each group of actors (see Table 2).

Table 2: Recommendations for local CSOs and international actors

Recommendations for local CSOs	Recommendations for international actors
<ol style="list-style-type: none"> 1. Find and define the role and mandate, and do not deviate from it. 2. Build CSO's capacity as fast as possible. 3. Cooperate and build strong foundations in the society. 4. Diversify the sources of funding. 5. Communicate actively. 6. Meet the contractual obligations. 	<ol style="list-style-type: none"> 1. Partner with local CSOs 2. Respect your local partners and treat them as genuine partners 3. Listen to local CSOs' advice – respond to the local needs 4. Build local capacity as much as possible 5. Critically monitor the open space and the supposedly democratic leadership

As these recommendations are based on the analysis above, they will not be extensively elaborated, but only summarised with the accompanying recommendations under each category. It should be noted that these generalised recommendations can be applied to all CSOs and international actors but need to be evaluated and adjusted from case to case.

6.3.1. Recommendations for CSOs

Regarding roles and mandates, CSOs should find and define their own agendas, goals and processes for how to reach them (Interviewee 1, para. 13, 32, 43; CSO 4, para. 27; Expert 4, para. 24, 40, 51; CSO 10, para. 13; IO 4, para. 44; IO 6, para. 15, 17; Expert 3, para. 29; Expert 6, para. 29; Expert 7, para. 26, 38, 39). This also implies that they should be innovative in their approaches, vibrant and pro-active, which will allow them to claim their space in society and in the sector (CSO 1, para. 17; Expert 7, para. 24, 26; Expert 9, para. 51; IO 4, para. 44; Expert 5, para. 7, 9; Expert 6, para. 23). Expert 4 describes this as an internal exercise, a “process of analysis of who you are, what you want to do and what you want to accomplish. And without the possibility and the lure of finding funds” (Expert 4, 19.11.10 para. 28). Further, it is recommended that CSOs take their time in order to make informed choices about what kind of partners they would like to cooperate with, what their priorities are, and to what extent they would be willing to compromise (Expert 4, para. 31; Expert 11, para. 35; Expert 2, para. 35). The last point under the first recommendation is the need for CSOs to establish and follow basic principles that apply to the entire civil society sector¹³², which should be identified among the local civil society community itself (Expert 7, para. 20, 34; IO 5, para. 31; Expert 8, para. 27; Expert 2, para. 37; CSO 9, para. 9).

¹³² For example: civil, non-partisan, act in the best interest of the society, etc.

Concerning capacity building, it was recommended that while not rushing into quick decisions, CSOs should make good use of the 'window of opportunity' that is represented by the currently open space (CSO 4, para. 55, 57; CSO 5, para. 30; IO 3, para. 33; Expert 2, para. 35; Expert 5, para. 9, 23). Several interview partners have warned that the civic space could be closed again soon, as the country is not yet politically stable. Therefore, developing institutional strength, including organisational memory to reduce the effects of high staff turnover¹³³ and dependency on leaders, should be a priority (CSO 4, para. 25).

The next recommendation deals with the development of local support and coalitions that support each other and align their efforts, as well as the identification with the constituency and the group of beneficiaries (CSO 5, para. 52; Expert 2, para. 35, 49; CSO 7, para. 42; CSO 9, para. 23; IO 6, para. 17; Expert 3, para. 29; Expert 4, para. 37–38, 71; Expert 7, para. 34, 38; IO 3, para. 51; IO 5, para. 17). In addition, to regain the trust and support from society and maybe even find local donors or volunteers, CSOs are asked to present their activities and their success stories transparently. Public outreach and awareness-raising have the potential to help facilitate real social change within society itself. Additionally, it was recommended that CSOs spread their efforts, support base, and local partnerships to other regions of the country as well (Expert 7, para. 38; CSO 7, para. 24; Interviewee 1, para. 40–41).

The next point is quite self-explanatory: diversify the sources of funding (IO 5, para. 29). CSOs should try to accumulate local funds and start income-generating activities. As well, they should have a variety of partners, local or international, in order to be less dependent on one donor and to have more leverage during negotiations (CSO 4, para. 27, 55; Expert 8, para. 78; IO 6, para. 15; Expert 3, para. 13).

Furthermore, an often overlooked recommendation is for CSOs to communicate more actively. This is two-fold: before establishing a partnership, they should openly communicate their expectations and negotiate their conditions (Expert 2, para. 51); during the partnership give the partners honest and constructive feedback and address problems that arise¹³⁴ (IO 3, para. 51). As long as the international partners know where the problem lies, they are able to help. If they do not know about it, CSOs might struggle to meet the strict requirements and deliverables, without the partner being able to support. It became clear that representatives of international actors also wished to be treated as equal partners and not just as a regular donor-recipient relationship (IO 1, para. 50).

¹³³ Another point to be added to this set of recommendations, is that CSOs should find ways to reduce the staff turnover, which could be achieved by higher salaries or higher intrinsic motivations, but both might not always be easily accomplished.

¹³⁴ This part of communication was especially requested by international interview partners.

This leads to the last recommendation for civil society. They should meet their contractual obligations, and communicate when they have difficulties fulfilling them (IO 1, para. 45; Expert 9, para. 51). This includes the sector working to rebuild trust, transparency and accountability, which will make it much easier to create trust-based partnerships¹³⁵ (IO 3, para. 33, 51; Expert 6, para. 29; CSO 5, para. 44). This requires that CSOs include their partners in the processes so that delays on deadlines or difficulties with deliverables can be handled together (Expert 6, para. 33).

6.3.2. Recommendations for international actors

For international actors, five sets of recommendations were identified in this study.¹³⁶

The first recommendation for international actors is to partner with local CSOs at all costs. International actors must understand that working with the GoE at the same time as with CSOs, is not contradictory, rather, these efforts complement each other (CSO 7, para. 42; CSO 8, para. 62, 78; CSO 10, para. 17, 19; CSO 9, para. 29; Expert 5, para. 23). When requested, international actors should act as mediators between the GoE and CSOs to support the process of opening the space further. In a triangular relationship such as this, it will be important to clearly define and communicate expectations and roles (Expert 8, para. 35, 57). It is crucial to partner with local CSOs, as most interviewees have stressed that the CSOs' comparative advantages can help bring success and sustainability to development efforts. Furthermore, mentorship can help build local capacities so that CSOs are able to act independently in the long run. Hence, capacitating local CSOs should be made a desired project outcome. Seeing the importance for development goals, the advantages of local actors over international CSOs or private contractors have to be considered, which leads to reduced competition and improved cooperation among stakeholders (Expert 5, para. 23; IO 4, para. 44).

Thus, when partnering with local actors, it is of utmost importance not to patronise them, enforce conditionality, or discriminate (CSO 6, para. 36, 37; CSO 9, para. 29). Hence, it was often repeated that ownership and leadership should lie in the hands of the local partners, that internationals should take the 'backseat', and that assistance should be requested by local actors and not vice versa (Expert 11, para. 27; Expert 3, para. 13; CSO 1, para. 37; CSO 10, para. 29; Expert 6, para. 9). This includes that the representation of local marginalised groups should not be assumed by international actors, but should rather be left to locals entirely (IO 4, para. 44).

Therefore, it is also essential for international actors to understand the local context and, in consultation with local actors find their roles and gaps they can fill (Expert 3, para.

¹³⁵ Some organisations, such as APAP or EWLA reported that they have reached that point before the CSP2009, which shows that it is generally possible.

¹³⁶ Each international organisation has very different structures and internal policies, so these recommendations might not apply to every organisation (i.e. international governmental organisations, international CSOs, etc.).

27, 29; Expert 11, para. 27; CSO 6, para. 36–38; Expert 4, para. 69; CSO 1, para. 19, 21, 37; CSO 8, para. 60, 72; CSO 10, para. 33). In general, the recommendation is to listen to the advice of local counterparts, not only about the cultural context, the thematic areas in which their support is needed but also about funding and cooperative arrangements¹³⁷ (IO 5, para. 17; Expert 8, para. 51; IO 1, para. 41, 51; CSO 4, para. 23).

One area of involvement which was quite clearly requested by the interview partners is capacity-building. Especially in terms of support for local independent initiatives and institutions which enable civil society to become self-sufficient and self-governed as a sector. A sector, which can survive a potential next closing of the civic space (CSO 1, para. 17, 37; CSO 4, para. 25, 55, 57, 61; CSO 5, para. 52; CSO 3, para. 22; Expert 3, para. 9; CSO 9, para. 23; Expert 12, para. 44, 46; Expert 2, para. 35; Expert 5, para. 23; Expert 8, para. 35). Building capacity also will require reducing or simplifying application procedures and contractual requirements in order to enable emerging CSOs to build their capacities efficiently (CSO 2, para. 7, 33; CSO 4, para. 27; CSO 6, para. 28; IO 1, para. 42; IO 5, para. 17; Expert 7, para. 28). In the next step, internationals should try to refrain from brain draining well-trained CSO staff, as they are crucial for the institutional strength of local organisations.

Last but not least, international actors were also warned not to trust the current ‘open space’ and the promise of democratisation from the current administration (CSO 5, para. 26, 52; Expert 12, para. 39). At the end of 2019 many interview partners already expressed their concerns that the efforts to liberalise and democratise might experience a backlash or might not trickle down to all political actors fast enough¹³⁸ (Expert 8, para. 15–17). Furthermore, as the last closing space phenomenon was defended on the basis of too much external interference in local affairs, international actors were asked to stay as neutral and non-partisan as possible. This can help not to rehabilitate the negative image of their support that was perceived in 2009 (Expert 6, para. 29, 31; IO 3, para. 44–45; CSO 1, para. 21; IO 4, para. 13, 44; IO 5, para. 31; Expert 3, para. 27; Expert 11, para. 19–21; Expert 12, para. 40; Expert 8, para. 27, 35).

To compare these results regarding recommendations for international actors, the above introduced OECD report on “How DAC members work with civil society organisations” will be used (2011:43–44). In this research, a general view on cooperation but not in the context of Ethiopia is presented. Similar, but differently termed recommendations were identified. The report’s recommendations include creating transparent, forward-looking and results-oriented policies and strategies by international actors; supporting and encouraging an enabling environment for civil society; facilitating

¹³⁷ I.e. core funding or project funding, short-term or long-term support, strict deliverables and targets or more flexibility.

¹³⁸ Looking at the current events (as of end of 2020) in Ethiopia, being on the brink of civil war, this prediction might not have been far-fetched at the time of the field research.

meaningful dialogue with local CSOs for policy creation and gathering knowledge about the local context; reducing transaction costs and making funds flexible and predictable; simplifying contracting, funding and reporting requirements to reduce administrative burdens for CSOs; finding the right balance between influencing local activities and preserving autonomy; identifying realistic objectives, and developing suitable indicators for measuring achievements and feasible outcomes to improve accountability and transparency. It can be concluded that, although less specific, these recommendations are in line with the suggestions for the Ethiopian context above.

6.4. Recommended further studies

Having identified the recommendations produced by the research data at hand, it will be crucial to put them into specific organisational contexts before applying them. Thus, further research on the issues addressed in this thesis could be conducted while focusing on single organisations (CSO or international) or a single partnership between two actors. In such research, it is recommended to not only analyse the perceived sentiments of the partner but to actually analyse the sustainability and effectiveness of a project under specific cooperation modalities¹³⁹. This research was conducted shortly after the enactment of the new CSO legislation and many aspects, especially about how human rights organisations envision their cooperation in future, were more hypothetically explained than actual realities. Therefore, it would be interesting to conduct similar research again after a few years and compare whether these predictions came true. If there was a follow-up to this research, it is recommended making sure that the participants represent more views (i.e. more non-Ethiopian representatives of international actors, CSOs from other regions, LGBTQ+ activists). Other research topics could include: the triangular relationship between the Government of Ethiopia, civil society and international actors; the feasible options of local fundraising and income-generating activities to point out more concrete options for local CSOs to diversify their funds; the dilemma between universal human rights and local cultural constraints, such as LGBTQ+ issues, and the role of CSOs and international actors in this dilemma.

7. CONCLUSION

This research was motivated by the importance of civil society for the development and democratisation of a country. As Ethiopian civil society underwent a ten-year closed civic space phenomenon followed by a new CSO law published in early 2019, many dynamics are changing. Therefore, this research sought to discuss how the limitations of the previous law have changed civil society's attitude and perceptions about cooperation with international actors. Thus, the underlying research questions were the following:

¹³⁹ E.g. short-term vs long-term, local agenda or foreign agenda, pooled funding, complete leadership by CSO, etc.

1. What are the opportunities and challenges of the cooperation between international actors and civil society organisations in Ethiopia?
2. What were the challenges posed on, and retrospectively, the opportunities given to civil society in general and Ethiopian Charities and Societies (rights-oriented CSOs) in particular, by the Charities and Societies Proclamation No. 621/2009?

Building on these questions, this research sought to elaborate on the following research objectives:

- Addressing the new and unknown situation after the introduction of the CSP2019 and strengthening civil society's capacity to play their roles.
- Providing information to international actors who want to cooperate with local partners about their perceptions and hopes for such cooperation.
- Identifying the positive effects of cooperation and shedding light on challenges, ultimately giving a set of suggestions for improvement.
- Analysing the different types of mindsets towards international partners by local human rights CSOs, and reflecting on how the previous CSO law influenced their approaches.

After providing insight into the existing literature and civil society's history, this thesis analysed the advantages and challenges of cooperation as perceived by both groups of actors in Ethiopia. The identified advantages of CSOs were the high intrinsic motivation of many actors in the sector, their proximity to and understanding of the society and culture, as well as their importance for advancing democracy and as development drivers. For international actors, the most significant advantages were the provision of financial and other resources, the ability to transfer knowledge, skills and experience from other contexts, and provide an international network that can protect local actors and support advocacy campaigns on a larger scale.

With regard to the challenges, six interrelated areas were distinguished, with which both local and international actors face struggles. These categories are: role and mandate, dependencies and power relations, resources and funds, working procedures and requirements, capacities and skills, as well as human resources and staff. These challenges do not significantly differ from what literature has identified in other contexts. However, some of the topics (role and mandate, capacities and skills, and human resources) were strongly affected by the particularities of the Ethiopian context. To counter these challenges and to rebuild a strong and vibrant civil society, these areas need to be worked on with special attention.

Concerning the second research question, the hypothesis was that the restrictions of the previous law gave local rights CSOs the chance for a type of development that they would not have been able to experience if they would have continued to be financed by international donors. With the help of three sub-questions, this hypothesis was discussed. The analysis of the questions gave an overview of the level of awareness of

power hierarchies and the risk of dependencies among local CSOs; the strategies CSOs developed during the CSP2009 to be independently strong and which they can choose to utilise even now that cooperation is made possible again; and the negotiation power, CSOs have, to set their conditions of cooperation. It was concluded that there seems to be a generally high level of awareness among CSOs, among both, rights and non-rights organisations, as to how cooperation with international actors can endanger their independence. However, the analysis showed that predominantly human rights CSOs, or known as former Ethiopian Charities, have developed ways and strategies during the ten years of the CSP2009, which helped them survive and become independent and self-sufficient actors. Nonetheless, it seemed like organisations that were allowed continuously to receive international funds, regretted their level of dependency but did not have many alternatives at hand to circumvent that. Lastly, again the rights-oriented CSOs were identified to have successful ways of negotiating their conditions for cooperation. The most important requirements for a constructive relationship included coherency with local agendas and approaches, compliance with the same core values, as well as a strong focus on institution-building and core funding.

In the last step, a set of recommendations was formulated to help both local CSOs and international actors improve their relations under the new CSP2019 legislation. As the data from the interviews allowed for more interpretation of the given recommendations, it would have exceeded the scope of this research to analyse them in more detail. Additionally, further research and individual assessments should be conducted to translate these propositions to concrete cases.

To conclude, the applied qualitative methodology allowed for the analysis and understanding of Ethiopia's current civil society situation after the introduction of a new civil society law. Even though some of the analysed challenges were similar to those challenges experienced by civil societies in other development contexts, generalisations should be handled carefully. Nevertheless, this research helped fill the research gap concerning the effects of a closed space phenomenon on civil society's independence. The complexity of this topic is high, and not all relevant factors were included in this research, which is why no causal conclusion as to the impact of the previous law can be made. It certainly helped CSOs figure out strategies on how to survive and build their institutional strength without the help of international actors. However, it did not become evident whether the high awareness and wish for independence was enhanced by the limitations of the previous law or whether other factors played a role¹⁴⁰. Besides, as the research was conducted only shortly after the change of laws, similar research would

¹⁴⁰ Such as the choice of participants, the vast amount of legal professionals in this sample, the history and generally suspicious culture, etc.

have been needed to confirm the findings on the strategies and negotiation powers, and whether local CSOs were able to work with them over a more extended period of time.

Finally, the last open question posed in the title of this thesis was whether this research supports the notion that the *Organizations of Civil Societies Proclamation No. 1113/2019* constituted a whole new beginning for the cooperation between Ethiopian CSOs and international actors. This question cannot be answered satisfactorily. Nevertheless, it can be said that although the relations have a long history and many positive and negative features were continued throughout the period of the CSP2009, the CSP2019 created several opportunities for improving those. Most importantly, CSOs got a chance to re-evaluate their mandates. Another important aspect is the fact that CSOs were able to decide with whom to partner and to what extent. Furthermore, institutions were established, such as the Civil Society Council, which are supposed to strengthen the sector and make it collaborative, reliable and self-sufficient. Hence, this research helps identify the weak aspects of international cooperation with local CSOs and stresses the need for continuous support based on genuine partnerships.

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ANNEX

A. Table 3: List of interview partners

Human Rights CSO representatives					
	Name	f/ m	Type and topic under CSP2019	Type under CSP2009	Date and location
1	CSO 1	m	Local CSO, human rights	Ethiopian Charity	13.11.2019, Addis Ababa
2	CSO 2	m	Local CSO, human rights	Ethiopian Charity	27.11.2019, Addis Ababa
3	CSO 3	m	Local CSO, human rights	Ethiopian Charity	25.11.2019, Addis Ababa
4	CSO 4	m	Local CSO, socio-economic and cultural rights	Ethiopian Resident Charity	27.11.2019, Addis Ababa
5	CSO 5	m	Local CSO, rights, democracy	N/A	26.11.2019, Addis Ababa
6	CSO 6	m	Consortium, human rights	Consortium of Ethiopian Charities	03.12.2019, Addis Ababa
			Local CSO, human rights	Ethiopian Charity	

Experts with positions or experience in local human rights CSOs					
	Name	f/ m	Type and topic under CSP2019	Type under CSP2009	Date and location
7	Expert 1	m	University Research Center		26.06.2019, Addis Ababa (Workshop) 07.11.2019, Addis Ababa (Interview)
8	Expert 2	m	Local CSO, human rights	N/A	21.11.2019, Addis Ababa
			Local CSO, socio-economic rights	Ethiopian Charity	
9	Expert 3	f	University Research Center		05.12.2019, Addis Ababa

			Local CSO, human rights		
10	Expert 4	m	University Research Center		19.11.2019, Addis Ababa
			Local CSO, human rights, youth civic engagement		

Representatives of non-rights CSOs					
	Name	f/m	Type and topic under CSP2019	Type under CSP2009	Date and location
11	CSO 7	f f	Local CSO, non-rights, women	Ethiopian Resident Charity	25.11.2019, Addis Ababa
12	CSO 8	m	Consortium, non-rights, development	Consortium of Ethiopian Resident Charities	13.11.2019, Addis Ababa
13	CSO 9	m	Consortium, non-rights, environment	Consortium of Ethiopian Resident Charities	18.11.2019, Addis Ababa
14	CSO 10	f	Consortium, non-rights	Consortium of Charities and Societies	14.11.2019, Addis Ababa

Representatives of international actors					
	Name	f/m	Type and topic under CSP2019	Type under CSP2009	Date and location
15	IO 1	m m	International organisation	N/A	21.11.2019, Addis Ababa
16	IO 2	f	International organisation	N/A	26.11.2019, Addis Ababa
17	IO 3	f	International organisation	N/A	05.12.2019, Addis Ababa
18	IO 4	f	International CSO	N/A	03.12.2019, Addis Ababa
			Local CSO, human rights	N/A	
19	IO 5	f	International organisation	N/A	20.11.2019, Addis Ababa
20	IO 6	m	International organisation	N/A	27.11.2019, Addis Ababa

Experts with positions in international organisations					
	Name	f/ m	Type and topic under CSP2019	Type under CSP2009	Date and location
21	Expert 5	f	diverse local and international CSOs		13.11.2019, Addis Ababa
22	Expert 6	f	International foundation, democracy		13.11.2019, Addis Ababa
23	Expert 7	m	International, CS support		16.11.2019, Addis Ababa
			Local CSO, human rights	Ethiopian Charity	
24	Expert 8	m	University Research Center		26.11.2019, Addis Ababa
			Ethiopian diaspora CSO, CS support		
			Local CSO, human rights	Ethiopian Charity	
25	Expert 9	f	International organisation		06.11.2019, Addis Ababa
			Local CSO, human rights	Ethiopian Charity	

	Name	f/ m	Organisation	Date and location
26	Interviewee 1	m	FDRE Agency For Civil Society Organizations	03.12.2019, Addis Ababa

Informal Conversation Partners				
	Name	f/ m	Type and topic	Date and location
28	Expert 10	m		08.2019, Addis Ababa
29	Expert 11	m	University Research Center	11.2019, Addis Ababa
30	Expert 12	f	International multi-donor fund	11.2019, Addis Ababa
31	Expert 13	m	International Organisation	12.2019, Addis Ababa

B. Table 4: Coding Guideline

The table presents categories and sub-categories that were applied as codes during the content analysis of the interviews.

Categories and subcategories			Explanations of categories	
Core question/awareness of IO relations			collection of all statements related to the second research question	
Impacts of CSP 2009	on CSOs generally	positive	statements about the effects of the previous CSO law and mitigation strategies	
		negative		
	on rights CSOs	positive		
		negative		
	Coping Strategies during CSP2009			
	Role CS			
Problems of/with CSOs	mentioned by CSOs	corruptness/ shadyness	statements about problems and challenges faced and induced by CS actors	
		external factors		
		agenda/topic/ mandate		
		Capacities/ Resources		
		Role/ Set-up		
		Procedures/ working style		
		Dependencies		
		Ideology/ attitude		
		Staff/ humans		
		mentioned by IOs		corruptness/ shadyness
	external factors			
	agenda/topic/ mandate			
	Capacities/ Resources			
	Role/ Set-up			
	Procedures/ Working style			
	Dependencies			
	Ideology/ attitude			
	staff/ humans			
	mentioned by experts			Corruptness/ shadyness
		external factors		

		agenda/topic/ mandate	
		Capacity/ Resources	
		Role/ Set-up	
		Procedures/ working style	
		Dependencies	
		Ideology/ attitude	
		Staff/ humans	
Positives about CSOs			positive aspects of the Ethiopian CS sector and its approaches to support the sector from within
	self-help activities		
Handling donor/partner relations			statements about how CSO manage their relations with international partners
emerging CSOs			statements concerning young and newly founded CSOs and the special support for them
	strategies to support non-experienced CSOs/ circumvent strict procedures		
Selection Criteria			Selection criteria for partnership between local CSOs and international actors
	CSOs to IOs		
	IOs to CSOs		
Role IO			statements about the role of international actors in Ethiopia, requests for support and areas of no involvement
	no involvement		
	involvement requested		
Problems of/with IOs			statements about problems and challenges faced and induced by international actors
	no problems		
	mentioned by CSOs		
		Agenda/Design	
		Ideology/thinking process	
		Procedures/requirements	
		Hierarchy/Power relations	
		Funds/Money	
		Staff/human behaviour	
	mentioned by IOs		
		Agenda	
		Ideology/thinking process	
		Procedures/requirements	
		Hierarchy/Power relations	
		Funds/Money	
		Staff/Human behaviour	
	mentioned by experts		
		Agenda	
		Ideology/thinking process	
		Procedures/Requirements	

		Hierarchy/Power relations	
		Funds/Money	
		Staff/Human behaviour	
Positives about IOs			positive aspects of international actors
Handling CSO relations			statements about how international partners manage their relations with local CSOs
Dilemma IOs supporting GoE & CSOs			statements about the relations of international actors with the GoE
Specific CSOs			statements about the specifics of local CSOs
	PHE		
	PDN		
	AWSAD		
	CARDDAP		
	CAHRDE		
	Prison Fellowship		
	CEHRO		
	Lawyers for Human Rights		
	CARD, Zone 9		
	Consortiums		
	VECOD		
	CCRDA		
	Kero & Youth movements		
	AAU Human Rights Center		
	EHRC		
	Yellow Movement		
	APAP		
	Forum		
	ELA		
	EWLA		
Specific IOs/Differences			statements about the specifics of different international actors
	international CSOs		
	Open Society		
	African Leadership/ CS Resource Center		
	FES		
	NED		
	foundations		
	Nama Foundation		
	Wellspring		
	UN agencies		

	ESAP/WB		
	AU		
	donors/ state agencies		
	DAG		
	British		
	Arab, Asian		
	Scandinavians		
		SIDA	
	USAID, embassy		
	Netherlands		
	CSSP		
	German, GIZ		
	Irish		
	EU,EU-CSF, TAU		
Recommendations			Recommendations given by various actors towards other actors
	CSOs to CSOs		
	CSOs to IOs		
	IOs to CSOs		
	IOs to IOs		
	experts to CSOs		
	experts to IOs		
Hopes and Visions CSOs			Hopes and visions expressed for the future cooperation between local CSOs and IOs
	Hopes IOs		
Legislation			Legal aspects concerning civil society in Ethiopia, including statements about the previous CSO law and the current one
	Advisory Council of the Attorney General		
	Civic Engagement Law		
	Legal reforms		
	CSO Council		
	CSP 2009		
	CSP 2019		
		disadvantages	
		advantages	
	Agency		
Ethiopia context			Information about the local context of Ethiopia, including the government's attitude towards CS
	current situation		
	history		
	HR Commission		
	government		
		recommendations	
		GoE relations CSOs	
		GoE relations IOs	
Elections			

	2005		statements about previous and coming elections and democratic processes
	Sidama		
	2020 national		
good quotes			quotes that have good wording and a high-quality content
dont quote!!!!			statements that were asked not to be quoted
human rights			statements about human rights in general and the situation in Ethiopia
infos about interview partner			
not categorized yet			statements that did not fit any codes

C. Interview Guides

For each group of organisation (human rights CSOs, non-rights CSOs, CSO consortiums, international actors, experts, Agency) slightly different interview guides were used. Here, two general ones are given as examples. As these are rather long interview guides, they were shortened to the most important questions after the first conversations, and other questions only asked if enough time was made available by the interview partners.

Interview Guide for CSOs

General knowledge:

1. First, just to be sure, how was your CSO categorised under the CSP 2009 and how is it registered now?
2. Could you please tell me about your cooperation with international partners?
3. With which international organisations have you worked in the past and who are you working with at the moment?
4. What type of cooperation do you have with these actors? (e.g. financial support, training and capacity building, joint project lead, service delivery, other?)
5. Do you have any criteria for selecting your international partners? Are you particular about certain aspects? (e.g. same vision, source of funds, reporting requirements, success of former projects)
6. If they have worked with IOs: Have you noticed any differences in the approaches to work with CSOs between the different types of international actors? (i.e. multilateral international organisations, unilateral organisations, European, American, African, Asian, international CSOs ...)

CSP 2009

7. From your point of view, do you think that there were any advantages or positive effects of the CSP2009 for Ethiopia on the one hand and for civil society on the other?
8. rights CSO: How did you finance yourselves under the CSP2009?
9. rights CSO: What were your strategies to work within the restricted space of the CSP 2009?
10. non-rights: Did you and if yes, how, continue any advocacy activities under the CSP 2009?
11. non-rights: What other options of financing would you have, if you hadn't international funding?

12. What is your opinion on the new CSP2019?

Questions about IOs:

13. What do you think is the role of international actors in the establishment of an independent, stable, self-reliant civil society in Ethiopia?
14. In which areas of your work do you think international partners can be of best support/have the best impact? (e.g. financing independent projects, training and capacity building, joint project lead, democratisation process, information exchange, providing network)
15. Can you think of areas of civil society in which you would recommend international actors not to get involved in?
16. What are your positive experiences/what is the added value working with international partners? Examples of concrete projects?
17. rights CSOs: Do you have a concrete goal that you couldn't achieve under the CSP 2009 and that you think cooperation with international actors would be the best way to achieve it?
18. What are negative experiences working with international partners? Have you encountered any concrete challenges in the past?
19. In general: Do you have any concerns about working with international partners?
 - 19.1. What are the demands from the donors' side and how does it affect your work, for example, in relation to your supporters or to other organisations? (Do you fear that following and answering to donor demands, will make you lose the connection to your supporters, grassroots, constituency or organisations that work on similar issues?)
 - 19.2. Are there any hierarchic structures when cooperating with IOs, is there any top-down decision making or is everything decided on 'eye-level'?
 - 19.3. Do you feel any restrictions in the design of your activities in cooperation with international actors due to the bilateral relations and reporting responsibilities towards the GoE by your international partner?
20. Only if they named some already: If there are any negative side-effects when working with IOs, does your organisation have any mitigation strategies against donor influences?
21. From now on, under the CSP 2019, what are your concrete plans on cooperating with international partners and what do you think will change?
22. Long-term, what is your vision with regard to foreign funding? Do you plan to be self-sufficient or do you wish to be foreign-funded in the long-term?

Add-on questions

23. The CSP 2009 was justified as a measure against too much external influences on internal affairs. Does the CSP 2019, the current government or the civil society sector consider these concerns and have any measures in place to circumvent them of becoming true?
24. What is your opinion on the academic debate about the distorting influences of foreign aid on democratisation social movements? (it claims that CSOs are losing touch to the people on the ground, that CSOs follow foreign agendas and design instead of being creative and flexible answering to the demands in the society, that CSOs become a-political because foreign agencies should not engage in local politics, that their sustainability is highly vulnerable due to dependency on continuous funds which are often short-term)
25. What is your message? What would you like international actors and also fellow CSOs to know when cooperating with Ethiopian CSOs or international partners?
26. What are your recommendations for international actors for choosing their CSO partners?

Interview guide for IO Interviews

General IOs and CS

1. In general, what is your organisation's idea or concept of working with CS and CSOs (e.g. do you want to strengthen CS or cooperate for development achievements)?
2. In which areas of CS work do you think can international actors have the best impact?
3. Can you think of areas of CS work in which international actors should not engage in?

IOs and CS in Eth

4. In Ethiopia, what is your concrete mandate, what are your goals regarding CS here?
5. What types of cooperation/support do you engage in? (e.g. service delivery, joint project lead, capacity building, financial support, information exchange, providing network etc.)
6. What are your criteria for partnering with CSOs? How do you assess those criteria?
7. Do you feel any difference in the way of cooperation in Ethiopia compared to other country contexts?

CSP 2009

8. In 2009/10 what were your organisation's strategies to mitigate the effects of CSP 2009 on your work in Ethiopia?
9. Have you worked with CSOs that were registered as Ethiopian Charities or Societies while the CSP 2009 was in place?
10. If yes, in which ways have you cooperated?
11. Did you find a way under CSP 2009 to still work on the areas that were restricted for international actors? (i.e. human rights, good governance, anti-corruption, conflict resolution, electoral education, advocacy)

CSP 2019

12. Now, with the introduction of CSP 2019 what are your plans on working on these issues and on cooperating with former Ethiopian CSOs?

Relations with CSOs

13. What kind of difficulties have you encountered when working with CSOs?
14. Do you ever encounter scepticism or concerns by your CSO partners?
If yes, what type of concerns do they express and how are you able to react to them?
15. For those Ethiopian CSOs that were not allowed to receive more than 10% of their funding from international sources, what do you think, how will their new possibilities to work with international actors change the mutual cooperation?
15.1. Do you think they will have reservations/concerns of cooperating with international actors due to their long "independence" from them?
16. Do you ever feel a contradiction in supporting CSO activities with your bilateral arrangements with the GoE?
17. What is your opinion on the academic debate about the distorting influences of foreign aid on democratisation social movements? (it claims that CSOs are losing touch with the people on the ground, that CSOs follow foreign agendas and design instead of being creative and flexible answering to the demands in the society, that CSOs become a-political because foreign agencies should not engage in local politics, that their sustainability is highly vulnerable due to dependence on continuous funds which are often short-term)
18. If there are unintended negative effects of foreign funding. Does your organisation have any means and measures to mitigate these?
19. What is your message? What would you like CSOs and also fellow international actors to know when cooperating with international partners or Ethiopian CSOs?

D. Informed Consent Form

Consent Form

Research Title

Donor-recipient relations of international actors and Civil Society Organisations in Ethiopia after the introduction of the Civil Society Proclamation No. 1113/2019

Research description

The topic covered by the research will be the relation and cooperation of International Organisations and Civil Society in Ethiopia after the introduction of the new Civil Society legislation, namely the *Civil Society Proclamation No. 1113/2019* and the National Civic Engagement Policy Framework. After analysing how different theories conceptualise the relationship of international actors and Civil Society, their role will be reviewed from the side of civil society actors in Ethiopia as well as on-the-ground representatives of International Organisations. In the next step, the question will be examined whether the restrictions of the *Charities and Societies Proclamation No. 621/2009* changed the way the actors perceive their relations and the ways they cooperate.

Research process*

Involvement in this research is entirely voluntary, and you may withdraw at any time and/or refuse to answer any questions you are uncomfortable with. Data will be collected through the completion of interviews with representatives of civil society, of international actors and of academia. These data will be audio recorded upon the consent of the participant. If no consent is given, a protocol of the conversation will be created. You may also decide to be quoted anonymously for the whole interview given or for certain answers only. Data from this project will be securely stored and may be used for future academic projects. Data from this project will only be used for academic purposes by the researcher named below.

This research project is completely self-funded by the researcher Jessica Jung.

Consent

I confirm that I have read and understood the information for the research mentioned above. I have had the chance to consider the information and ask questions that were answered satisfactorily.

I understand that my participation is voluntary and that I can withdraw at any point in the process without my rights being affected.

I understand that there is no payment or compensation for the participation.

I understand that I can at any time request for the information I provide and request the destruction of these information.

I agree to take part in the above-mentioned study.

I agree for the interview to be audio-recorded (the recordings will be safely stored in digital form and deleted 12 months after completion of the research project)

Yes No

I assign copyright of my transcript to the researcher Jessica Jung, who may quote my transcript in research contexts with

the full mentioning of my name with an abbreviation with anonymity

Participant Date, Place Signature

Researcher Date, Place Signature

Contact Details Researcher

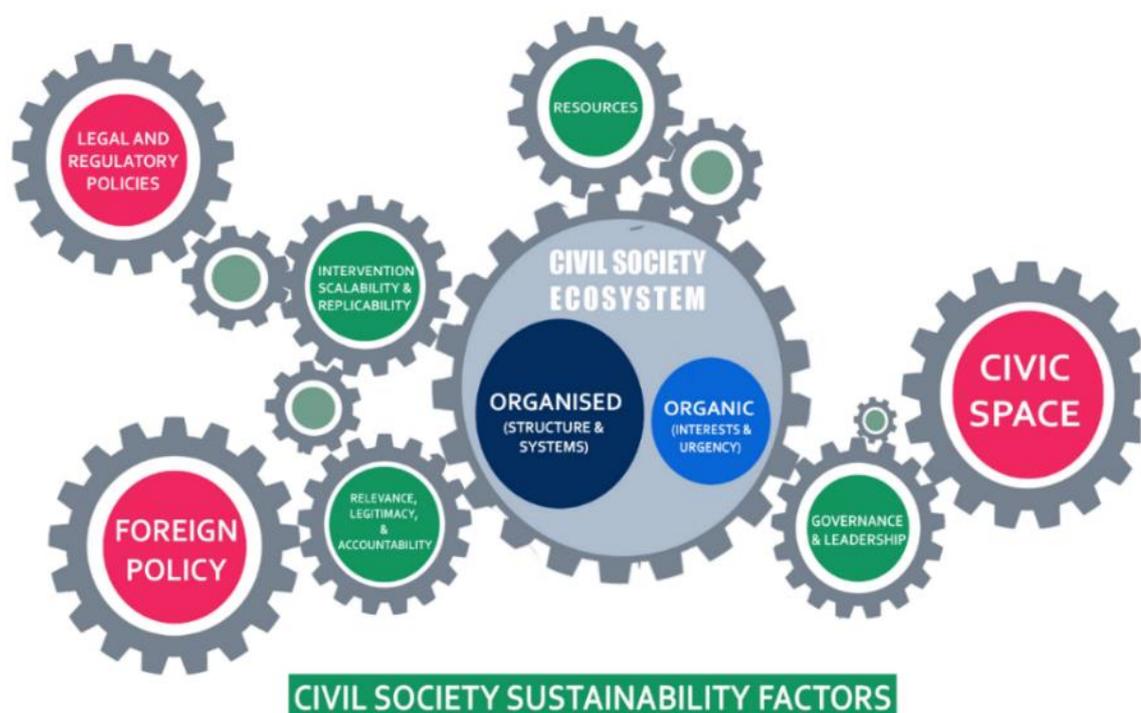
Jessica Jung
Jessica.jung@hsrw.org

Contact Details Supervising Professor

Prof. Dr. Alexander Brand
Alexander.brand@hochschule-rhein-waal.de

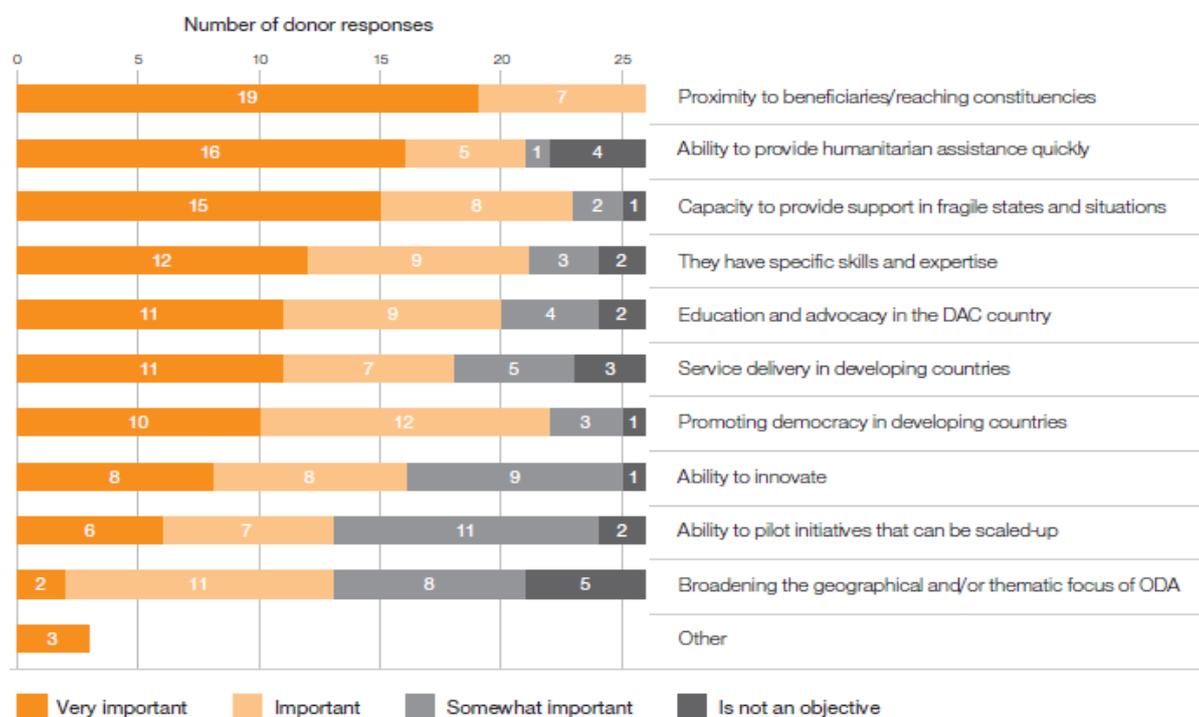
** If you have concerns with the conduct of this research, please contact the researcher or the supervisor.*

E. Figure 4: Civil Society Sustainability Factors



Source: (VanDyck 2017)

F. Figure 5: Why DAC members consider NGOs to be valuable development partners



Source: Response to survey on how donors work with civil society (March–April 2010).

Source: (OECD 2011:17)

G. Declaration of Authenticity

I, Jessica Jung, hereby declare that the work presented herein is my own work completed without the use of any aids other than those listed. Any material from other sources or works done by others has been given due acknowledgement and listed in the reference section. Sentences or parts of sentences quoted literally are marked as quotations. The work presented herein has not been published or submitted elsewhere for assessment in the same or a similar form. I will retain a copy of this assignment until after the Board of Examiners has published the results, which I will make available on request.